

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 ARTICLE 90.

5 Section 90-5. The Department of Natural Resources Act is  
6 amended by adding Section 20-15 as follows:

7 (20 ILCS 801/20-15 new)

8 Sec. 20-15. Entrance fee. The Department may set by  
9 administrative rule an entrance fee for visitors to the  
10 Illinois State Museum. The fee assessed by this Section shall  
11 be deposited into the Illinois State Museum Fund for the  
12 Department to use to support the Illinois State Museum. The  
13 monies deposited into the Illinois State Museum Fund under this  
14 Section shall not be subject to administrative charges or  
15 chargebacks unless otherwise authorized by this Act.

16 Section 90-10. The Department of Natural Resources  
17 (Conservation) Law of the Civil Administrative Code of Illinois  
18 is amended by changing Sections 805-70, 805-335, 805-420, and  
19 805-435 and by adding Sections 805-555 and 805-560 as follows:

20 (20 ILCS 805/805-70) (was 20 ILCS 805/63b2.9)

1           Sec. 805-70. Grants and contracts.

2           (a) The Department has the power to accept, receive,  
3           expend, and administer, including by grant, agreement, or  
4           contract, those funds that are made available to the Department  
5           from the federal government and other public and private  
6           sources in the exercise of its statutory powers and duties.

7           (b) The Department may make grants to other State agencies,  
8           universities, not-for-profit organizations, and local  
9           governments, pursuant to an appropriation in the exercise of  
10          its statutory powers and duties.

11          (c) With the exception of Open Space Lands Acquisition and  
12          Development and Land and Water Conservation Fund grants, the  
13          Department may assess review and processing fees for grant  
14          program applications under the jurisdiction of the Department.  
15          The Department may, by rule, regulate the fees, methods, and  
16          programs to be charged. The income collected shall be deposited  
17          into the Park and Conservation Fund for the furtherance of the  
18          Department grant programs or for use by the Department for the  
19          ordinary and contingent expenses of the Department.

20          Except as otherwise provided, all revenue collected from  
21          the application fee for the State Migratory Waterfowl Stamp  
22          Fund shall be deposited into the State Migratory Waterfowl  
23          Stamp Fund.

24          Except as otherwise provided, all revenue collected from  
25          the application fee for the State Pheasant Fund shall be  
26          deposited into the State Pheasant Fund.

1       Except as otherwise provided, all revenue collected from  
2       the application fee for the Illinois Habitat Fund shall be  
3       deposited into the Illinois Habitat Fund.

4       Except as otherwise provided, all revenue collected from  
5       the application fee for the State Furbearer Fund shall be  
6       deposited into the State Furbearer Fund.

7       The monies deposited into the Park and Conservation Fund,  
8       the State Migratory Waterfowl Stamp Fund, the State Pheasant  
9       Fund, the Illinois Habitat Fund, and the State Furbearer Fund  
10       under this Section shall not be subject to administrative  
11       charges or chargebacks unless otherwise authorized by this Act.

12       (Source: P.A. 90-490, eff. 8-17-97; 91-239, eff. 1-1-00.)

13               (20 ILCS 805/805-335)

14       Sec. 805-335. Fees. The Department has the power to assess  
15       appropriate and reasonable fees for the use of concession type  
16       facilities as well as other facilities and sites under the  
17       jurisdiction of the Department, including, but not limited to,  
18       beaches, bike trails, equestrian trails, and other types of  
19       trails. The Department may regulate, by rule, the fees to be  
20       charged. The income collected shall be deposited into the State  
21       Parks Fund or Wildlife and Fish Fund depending on the  
22       classification of the State managed facility involved. The  
23       monies deposited into the State Parks Fund or the Wildlife and  
24       Fish Fund under this Section shall not be subject to  
25       administrative charges or chargebacks unless otherwise

1 authorized by this Act.

2 (Source P.A.: 90-655, eff. 7-30-98; 91-239, eff. 1-1-00.)

3 (20 ILCS 805/805-420) (was 20 ILCS 805/63a36)

4 Sec. 805-420. Appropriations from Park and Conservation  
5 Fund. The Department has the power to expend monies  
6 appropriated to the Department from the Park and Conservation  
7 Fund in the State treasury for conservation and park purposes.

8 Eighty percent of the ~~All~~ revenue derived from fees paid  
9 for certificates of title, duplicate certificates of title and  
10 corrected certificates of title and deposited in the Park and  
11 Conservation Fund, as provided for in Section 2-119 of the  
12 Illinois Vehicle Code, shall be expended solely by the  
13 Department pursuant to an appropriation for acquisition,  
14 development, and maintenance of bike paths, including grants  
15 for the acquisition and development of bike paths and 20% of  
16 the revenue derived from fees shall be deposited into the  
17 Illinois Fisheries Management Fund, a special fund created in  
18 the State Treasury to be used for the operation of the Division  
19 of Fisheries within the Department.

20 Revenue derived from fees paid for the registration of  
21 motor vehicles of the first division and deposited in the Park  
22 and Conservation Fund, as provided for in Section 3-806 of the  
23 Illinois Vehicle Code, shall be expended by the Department for  
24 the following purposes:

25 (A) Fifty percent of funds derived from the vehicle

1 registration fee shall be used by the Department for normal  
2 operations.

3 (B) Fifty percent of funds derived from the vehicle  
4 registration fee shall be used by the Department for  
5 construction and maintenance of State owned, leased, and  
6 managed sites.

7 The monies deposited into the Park and Conservation Fund  
8 and the Illinois Fisheries Management Fund under this Section  
9 shall not be subject to administrative charges or chargebacks  
10 unless otherwise authorized by this Act.

11 (Source: P.A. 91-239, eff. 1-1-00.)

12 (20 ILCS 805/805-435) (was 20 ILCS 805/63b2.5)

13 Sec. 805-435. Office of Conservation Resource Marketing.  
14 The Department shall maintain an Office of Conservation  
15 Resource Marketing. The Office shall conduct a program for  
16 marketing and promoting the use of conservation resources in  
17 Illinois with emphasis on recreation and tourism facilities.  
18 The Office shall coordinate its tourism promotion efforts with  
19 local community events and shall include a field staff which  
20 shall work with the Department of Commerce and Economic  
21 Opportunity and local officials to coordinate State and local  
22 activities for the purpose of expanding tourism and local  
23 economies. The Office shall develop, review, and coordinate  
24 brochures and information pamphlets for promoting the use of  
25 conservation resources. The Office may charge shipping fees on

1 the distribution of all items from the Department's  
2 Clearinghouse. The Office shall conduct marketing research to  
3 identify organizations and target populations that can be  
4 encouraged to use Illinois recreation facilities for group  
5 events and the many tourist sites.

6 The Director shall submit an annual report to the Governor  
7 and the General Assembly summarizing the Office's activities  
8 and including its recommendations for improving the  
9 Department's tourism promotion and marketing programs for  
10 conservation resources.

11 (Source: P.A. 94-793, eff. 5-19-06.)

12 (20 ILCS 805/805-555 new)

13 Sec. 805-555. Consultation fees.

14 (a) For the purposes of this Section, "agency" shall have  
15 the meaning assigned in Section 1-20 of the Illinois  
16 Administrative Procedure Act.

17 (b) The Department shall assess a \$500 fee for  
18 consultations conducted under subsection (b) of Section 11 of  
19 the Illinois Endangered Species Protection Act and Section 17  
20 of the Illinois Natural Areas Preservation Act. The Department  
21 shall not assess any fee for consultations requested by a State  
22 agency or federal agency. Any fee assessed under this Section  
23 shall be deposited into the Illinois Wildlife Preservation  
24 Fund.

25 (c) The Department may adopt rules to implement this

1 Section.

2 (d) The monies deposited into the Illinois Wildlife  
3 Preservation Fund under this Section shall not be subject to  
4 administrative charges or chargebacks unless otherwise  
5 authorized by this Act.

6 (20 ILCS 805/805-560 new)

7 Sec. 805-560. Entrance fees for site visitors from other  
8 states.

9 (a) The General Assembly finds that a dedicated funding  
10 stream shall be established for the operation and maintenance  
11 of sites owned, managed, or leased by the Department to help  
12 ensure that these State treasures will be properly maintained  
13 and remain accessible to the public for generations to come.

14 (b) The Department may charge an annual vehicle access fee  
15 for access by site visitors from other states to properties  
16 owned, managed, or leased by the Department.

17 (c) The Department may charge a daily vehicle access fee to  
18 site visitors from other states who have not paid the current  
19 annual vehicle access fee.

20 (d) The Department may establish a fine for site visitors  
21 from other states who enter a site in a vehicle without paying  
22 the annual vehicle access fee or daily vehicle access fee.

23 (e) Revenue generated by the fees and fine assessed  
24 pursuant to this Section shall be deposited into the State  
25 Parks Fund or the Wildlife and Fish Fund, special funds in the

1 State treasury.

2 (f) The Department shall adopt any and all rules necessary  
3 to implement this Section.

4 (g) The monies deposited into the State Parks Fund or the  
5 Wildlife and Fish Fund under this Section shall not be subject  
6 to administrative charges or chargebacks unless otherwise  
7 authorized by this Act.

8 Section 90-15. The Recreational Trails of Illinois Act is  
9 amended by changing Sections 10 and 15 and by adding Sections  
10 26, 28, 30, 32, 34, 36, 38, and 40 as follows:

11 (20 ILCS 862/10)

12 Sec. 10. Definitions. As used in this Act:

13 "Board" means the State Off-Highway Vehicle Trails  
14 Advisory Board.

15 "Department" means the Department of Natural Resources.

16 "Director" means the Director of Natural Resources.

17 "Fund" means the Off-Highway Vehicle Trails Fund.

18 "Off-highway vehicle" means a motor-driven recreational  
19 vehicle capable of cross-country travel on natural terrain  
20 without benefit of a road or trail, including an all-terrain  
21 vehicle and off-highway motorcycle as defined in the Illinois  
22 Vehicle Code. "Off-highway vehicle" does not include a  
23 snowmobile; a motorcycle; a watercraft; ~~a farm vehicle being~~  
24 ~~used for farming; a vehicle used for military, fire, emergency,~~

1 ~~or law enforcement purposes; a construction or logging vehicle~~  
2 ~~used in the performance of its common function; a motor vehicle~~  
3 ~~owned by or operated under contract with a utility, whether~~  
4 ~~publicly or privately owned, when used for work on utilities; a~~  
5 ~~commercial vehicle being used for its intended purpose;~~  
6 snow-grooming equipment when used for its intended purpose; or  
7 an aircraft.

8 "Recreational trail" means a thoroughfare or track across  
9 land or snow, used for recreational purposes such as bicycling,  
10 cross-country skiing, day hiking, equestrian activities,  
11 jogging or similar fitness activities, trail biking, overnight  
12 and long-distance backpacking, snowmobiling, aquatic or water  
13 activity, and vehicular travel by motorcycle or off-highway  
14 vehicles.

15 (Source: P.A. 90-287, eff. 1-1-98.)

16 (20 ILCS 862/15)

17 Sec. 15. Off-Highway Vehicle Trails Fund.

18 (a) The Off-Highway Vehicle Trails Fund is created as a  
19 special fund in the State treasury. Money from federal, State,  
20 and private sources may be deposited into the Fund. Fines  
21 assessed by the Department of Natural Resources for citations  
22 issued to off-highway vehicle operators shall be deposited into  
23 the Fund. All interest accrued on the Fund shall be deposited  
24 into the Fund.

25 (b) All money in the Fund shall be used, subject to

1 appropriation, by the Department for the following purposes:

2 (1) Grants for construction of off-highway vehicle  
3 recreational trails on county, municipal, other units of  
4 local government, or private lands where a recreational  
5 need for the construction is shown.

6 (2) Grants for maintenance and construction of  
7 off-highway vehicle recreational trails on federal lands,  
8 where permitted by law.

9 (3) Grants for development of off-highway vehicle  
10 trail-side facilities in accordance with criteria approved  
11 by the National Recreational Trails Advisory Committee.

12 (4) Grants for acquisition of property from willing  
13 sellers for off-highway vehicle recreational trails when  
14 the objective of a trail cannot be accomplished by other  
15 means.

16 (5) Grants for development of urban off-highway  
17 vehicle trail linkages near homes and workplaces.

18 (6) Grants for maintenance of existing off-highway  
19 vehicle recreational trails, including the grooming and  
20 maintenance of trails across snow.

21 (7) Grants for restoration of areas damaged by usage of  
22 off-highway vehicle recreational trails and back country  
23 terrain.

24 (8) Grants for provision of features that facilitate  
25 the access and use of off-highway vehicle trails by persons  
26 with disabilities.

1 (9) Grants for acquisition of easements for  
2 off-highway vehicle trails or for trail corridors.

3 (10) Grants for a rider education and safety program.

4 (11) Administration, enforcement, planning, and  
5 implementation of this Act and all Sections ~~Section 11-1427~~  
6 of the Illinois Vehicle Code which regulate the operation  
7 of off-highway vehicles as defined in this Act.

8 ~~Of the money used from the Fund for the purposes set forth~~  
9 ~~in this subsection, at least 92% shall be allocated for~~  
10 ~~motorized recreation and not more than 8% shall be used by the~~  
11 ~~Department for administration, enforcement, planning, and~~  
12 ~~implementation of this Act or diverted from the Fund,~~  
13 ~~notwithstanding any other law to the contrary adopted after the~~  
14 ~~effective date of this amendatory Act of the 95th General~~  
15 ~~Assembly. The Department shall establish, by rule, measures to~~  
16 ~~verify that recipients of money from the Fund comply with the~~  
17 ~~specified conditions for the use of the money.~~

18 (c) The Department may not use the money from the Fund for  
19 the following purposes:

20 (1) Condemnation of any kind of interest in property.

21 (2) Construction of any recreational trail on National  
22 Forest System land for motorized uses unless those lands  
23 have been allocated for uses other than wilderness by an  
24 approved forest land and resource management plan or have  
25 been released to uses other than wilderness by an Act of  
26 Congress, and the construction is otherwise consistent

1 with the management direction in the approved land and  
2 resource management plan.

3 (3) Construction of motorized recreational trails on  
4 Department owned or managed land.

5 (d) The Department shall establish a program to administer  
6 grants from the Fund to units of local government,  
7 not-for-profit organizations, and other groups to operate,  
8 maintain, and acquire land for off-highway vehicle parks that  
9 are open and accessible to the public.

10 (e) The monies deposited into the Off-Highway Vehicle  
11 Trails Fund under this Section shall not be subject to  
12 administrative charges or chargebacks unless otherwise  
13 authorized by this Act.

14 (Source: P.A. 95-670, eff. 10-11-07; 96-279, eff. 1-1-10.)

15 (20 ILCS 862/26 new)

16 Sec. 26. Operation of off-highway vehicles without an  
17 Off-Highway Vehicle Usage Stamp. Except as hereinafter  
18 provided, no person shall, on or after July 1, 2013, operate  
19 any off-highway vehicle within the State unless the off-highway  
20 vehicle has attached an Off-Highway Vehicle Usage Stamp  
21 purchased and displayed in accordance with the provisions of  
22 this Act. The Department shall adopt rules for the purchase of  
23 Off-Highway Vehicle Usage Stamps. The fee for an Off-Highway  
24 Vehicle Usage Stamp shall be \$15 annually and shall expire the  
25 March 31st following the year displayed on the Off-Highway

1 Vehicle Usage Stamp. The Department shall deposit \$5 from the  
2 sale of each Off-Highway Vehicle Usage Stamp into the  
3 Conservation Police Operations Assistance Fund. The Department  
4 shall deposit \$10 from the sale of each Off-Highway Vehicle  
5 Usage Stamp into the Park and Conservation Fund. The monies  
6 deposited into the Conservation Police Operations Assistance  
7 Fund or the Park and Conservation Fund under this Section shall  
8 not be subject to administrative charges or chargebacks unless  
9 otherwise authorized by this Act.

10 (20 ILCS 862/28 new)

11 Sec. 28. Off-Highway Vehicle Usage Stamp display. The  
12 Department shall issue to the off-highway vehicle operator an  
13 Off-Highway Vehicle Usage Stamp in accordance with Section 26  
14 of this Act. The owner shall prominently display the stamp on  
15 the forward half of the off-highway vehicle.

16 (20 ILCS 862/30 new)

17 Sec. 30. Owner responsibility. It shall be unlawful for the  
18 owner of any off-highway vehicle to knowingly allow any minor  
19 child to operate his or her off-highway vehicle in violation of  
20 this Act.

21 (20 ILCS 862/32 new)

22 Sec. 32. Destruction, sale, or transfer of Off-Highway  
23 Vehicle Usage Stamps. The operator of any off-highway vehicle

1 shall be required to purchase a new Off-Highway Vehicle Usage  
2 Stamp if a previous Off-Highway Vehicle Usage Stamp is  
3 destroyed, lost, stolen, or mutilated beyond legibility. A  
4 valid Off-Highway Vehicle Usage Stamp already displayed on an  
5 off-highway vehicle that is sold or transferred shall remain  
6 valid until such time the stamp is expired.

7 (20 ILCS 862/34 new)

8 Sec. 34. Exception from display of Off-Highway Vehicle  
9 Usage Stamps. The operator of an off-highway vehicle shall not  
10 be required to display an Off-Highway Vehicle Usage Stamp if  
11 the off-highway vehicle is:

12 (1) owned and used by the United States, the State of  
13 Illinois, another state, or a political subdivision  
14 thereof, but these off-highway vehicles shall prominently  
15 display the name of the owner on the off-highway vehicle;

16 (2) operated on lands where the owner permanently  
17 resides; this exception shall not apply to clubs,  
18 associations, lands leased for hunting or recreational  
19 purposes, or to off-highway vehicles being used by  
20 outfitters as defined in the Wildlife Code as part of their  
21 outfitting business;

22 (3) used only on international or national competition  
23 circuits in events for which written permission has been  
24 obtained by the sponsoring or sanctioning body from the  
25 governmental unit having jurisdiction over the location of

1       any event held in this State;  
2           (4) while being used for activities associated with  
3       farming or livestock production operations; or  
4           (5) while being used on an off-highway vehicle grant  
5       assisted site and the off-highway vehicle displays a  
6       Off-Highway Vehicle Access decal.

7           (20 ILCS 862/36 new)

8       Sec. 36. Falsification. No person shall falsely alter or  
9       change in any manner the Off-Highway Vehicle Usage Stamp issued  
10       under the provisions of this Act, or falsify any record  
11       required by this Act, or counterfeit any form of license  
12       provided for by this Act. Any person found guilty of this  
13       Section shall be guilty of a Class A misdemeanor.

14           (20 ILCS 862/38 new)

15       Sec. 38. Penalties. Except as otherwise provided in Section  
16       36 of this Act, any person who violates any of the provisions  
17       of this Act, including administrative rules, shall be guilty of  
18       a petty offense.

19           (20 ILCS 862/40 new)

20       Sec. 40. Inspection authority. Agents of the Department or  
21       other duly authorized police officers may stop and inspect any  
22       off-highway vehicle at any time for the purposes of determining  
23       if the provisions of this Act are being complied with. If the

1 inspecting officer or agent discovers any violation of the  
2 provisions of this Act, he or she shall issue a summons to the  
3 operator of the off-highway vehicle requiring that the operator  
4 appear before the circuit court for the county within which the  
5 offense was committed.

6 Section 90-20. The State Finance Act is amended by changing  
7 Section 6z-36 and by adding Sections 5.811 and 5.812 as  
8 follows:

9 (30 ILCS 105/5.811 new)

10 Sec. 5.811. The Illinois State Museum Fund.

11 (30 ILCS 105/5.812 new)

12 Sec. 5.812. The Illinois Fisheries Management Fund.

13 (30 ILCS 105/6z-36)

14 Sec. 6z-36. Coal Mining Regulatory Fund; uses. All moneys  
15 collected as fees and civil penalties under the Surface Coal  
16 Mining Land Conservation and Reclamation Act, collected as fees  
17 under the Coal Mining Act, and collected as fees submitted to  
18 the Department of Natural Resources' analytical laboratory  
19 shall be deposited into the Coal Mining Regulatory Fund, a  
20 special fund in the State Treasury that is hereby created. All  
21 earnings on moneys in the Fund shall be deposited into the  
22 Fund. Moneys in the Fund shall be annually appropriated to the

1 Department of Natural Resources for the enforcement of coal  
2 mining regulatory laws and rules adopted by the Department  
3 under those laws. The monies deposited into the Coal Mining  
4 Regulatory Fund under this Section shall not be subject to  
5 administrative charges or chargebacks unless otherwise  
6 authorized by this Act.

7 (Source: P.A. 88-599; 89-445, eff. 2-7-96.)

8 Section 90-25. The Illinois Non-Game Wildlife Protection  
9 Act is amended by changing Section 4 as follows:

10 (30 ILCS 155/4) (from Ch. 61, par. 404)

11 Sec. 4. (a) There is created the Illinois Wildlife  
12 Preservation Fund, a special fund in the State Treasury. The  
13 Department of Revenue shall determine annually the total amount  
14 contributed to such fund pursuant to this Act and shall notify  
15 the State Comptroller and the State Treasurer of such amount to  
16 be transferred to the Illinois Wildlife Preservation Fund, and  
17 upon receipt of such notification the State Comptroller shall  
18 transfer such amount.

19 (b) The Department of Natural Resources shall deposit any  
20 donations including federal reimbursements received for the  
21 purposes in the Illinois Wildlife Preservation Fund.

22 (c) The General Assembly may appropriate annually from the  
23 Illinois Wildlife Preservation Fund such monies credited to  
24 such fund from the check-off contribution system provided in

1 this Act and from other funds received for the purposes of this  
2 Act, to the Department of Natural Resources to be used for the  
3 purposes of preserving, protecting, perpetuating and enhancing  
4 non-game wildlife in this State. Beginning with fiscal year  
5 2006, 5% of the Illinois Wildlife Preservation Fund must be  
6 committed to or expended on grants by the Department of Natural  
7 Resources for the maintenance of wildlife rehabilitation  
8 facilities that take care of threatened or endangered species.  
9 For purposes of calculating the 5%, the amount in the Fund is  
10 exclusive of any federal funds deposited in or credited to the  
11 Fund or any amount deposited in the Fund under subsection (b)  
12 of Section 805-555 of the Department of Natural Resources  
13 (Conservation) Law. The Department shall establish criteria  
14 for the grants by rules adopted in accordance with the Illinois  
15 Administrative Procedure Act before January 1, 2006. However,  
16 no amount appropriated from the Illinois Wildlife Preservation  
17 Fund may be used by the Department of Natural Resources to  
18 exercise its power of eminent domain.

19 (Source: P.A. 94-516, eff. 8-10-05.)

20 Section 90-35. The Coal Mining Act is amended by changing  
21 Sections 3.02, 3.04, and 8.07 and by adding Sections 2.16 and  
22 3.08 as follows:

23 (225 ILCS 705/2.16 new)

24 Sec. 2.16. Rules; Illinois Administrative Procedure Act.

1 The Mining Board may adopt rules necessary for or incidental to  
2 the performance of duties or execution of powers conferred  
3 under this Act in accordance with provisions of the Illinois  
4 Administrative Procedure Act.

5 (225 ILCS 705/3.02) (from Ch. 96 1/2, par. 352)

6 Sec. 3.02. The Mining Board shall make a record of the  
7 names and addresses of all persons to whom certificates  
8 provided for in this Act ~~Article 2~~ are issued, except those  
9 issued as provided in Article 8 of this Act.

10 (Source: Laws 1957, p. 1558.)

11 (225 ILCS 705/3.04) (from Ch. 96 1/2, par. 354)

12 Sec. 3.04. An applicant for any certificate provided for in  
13 this Act ~~Article 2~~, except those issued as provided in Article  
14 8, before being examined, shall register his or her name with  
15 the Mining Board and file with the Board the credentials  
16 required by this Act, to-wit: an affidavit as to all matters of  
17 fact establishing his or her right to receive the examination,  
18 and a certificate of good character and temperate habits signed  
19 by at least 10 residents of the community in which he or she  
20 resides. Each applicant shall also submit a reasonable fee as  
21 prescribed by rule, with such fee being deposited into the Coal  
22 Mining Regulatory Fund. The monies deposited into the Coal  
23 Mining Regulatory Fund under this Section shall not be subject  
24 to administrative charges or chargebacks unless otherwise

1 authorized by this Act.

2 (Source: Laws 1953, p. 701.)

3 (225 ILCS 705/3.08 new)

4 Sec. 3.08. Fees for renewal. The Mining Board may establish  
5 by rule a fee for the renewal of certificates with such fee  
6 being deposited into the Coal Mining Regulatory Fund. The  
7 monies deposited into the Coal Mining Regulatory Fund under  
8 this Section shall not be subject to administrative charges or  
9 chargebacks unless otherwise authorized by this Act.

10 (225 ILCS 705/8.07) (from Ch. 96 1/2, par. 807)

11 Sec. 8.07. Each applicant who satisfies the requirements  
12 set forth in this Article shall receive his or her certificate  
13 of competency upon satisfactorily passing the examination and  
14 submitting a fee as prescribed by rule. All fees collected  
15 shall be deposited into the Coal Mining Regulatory Fund,  
16 ~~without the payment of fees, except that a fee of \$2 shall be~~  
17 ~~paid to the Department for additional copies of certificates.~~  
18 The monies deposited into the Coal Mining Regulatory Fund under  
19 this Section shall not be subject to administrative charges or  
20 chargebacks unless otherwise authorized by this Act.

21 (Source: P.A. 85-1333.)

22 Section 90-40. The Surface-Mined Land Conservation and  
23 Reclamation Act is amended by changing Sections 5 and 10 as

1 follows:

2 (225 ILCS 715/5) (from Ch. 96 1/2, par. 4506)

3 Sec. 5. Application for permit; bond; fee; permit.

4 (a) Application for a permit shall be made upon a form  
5 furnished by the Department, which form shall contain a  
6 description of the tract or tracts of land and the estimated  
7 number of acres thereof to be affected by surface mining by the  
8 applicant to the tenth succeeding June 30, which description  
9 shall include the section, township, range, and county in which  
10 the land is located and shall otherwise describe the land with  
11 sufficient certainty so that it may be located and  
12 distinguished from other lands, and a statement that the  
13 applicant has the right and power by legal estate owned to mine  
14 by surface mining and to reclaim the land so described. Such  
15 application shall be accompanied by: (i) a bond or security  
16 meeting the requirements of Section 8 of this Act; and (ii) a  
17 fee of \$150 ~~\$100~~ for every acre and fraction of an acre of land  
18 to be permitted.

19 (b) An operator desiring to have a permit amended to cover  
20 additional land may file an amended application with the  
21 Department with such additional fee and bond or security as may  
22 be required under the provisions of this Act. Such amendment  
23 shall comply with all requirements of this Act.

24 (c) An operator may withdraw any land covered by a permit,  
25 excepting affected land, by notifying the Department thereof,

1 in which case the penalty of the bond or security filed by such  
2 operator pursuant to the provisions of this Act shall be  
3 reduced proportionately.

4 (d) (Blank).

5 (e) Every application, and every amendment to an  
6 application, submitted under this Act shall contain the  
7 following, except that the Director may waive the requirements  
8 of this subsection (e) for amendments if the affected acreage  
9 is similar in nature to the acreage stated in the permit to be  
10 amended:

11 1. a statement of the ownership of the land and of the  
12 minerals to be mined;

13 2. the minerals to be mined;

14 3. the character and composition of the vegetation and  
15 wildlife on lands to be affected;

16 4. the current and past uses to which the lands to be  
17 affected have been put;

18 5. the current assessed valuation of the lands to be  
19 affected and the assessed valuation shown by the two  
20 quadrennial assessments next preceding the currently  
21 effective assessment;

22 6. the nature, depth and proposed disposition of the  
23 overburden;

24 7. the estimated depth to which the mineral deposit  
25 will be mined;

26 8. the location of existing roads, and anticipated

1 access and haulage roads planned to be used or constructed  
2 in conducting surface mining;

3 9. the technique to be used in surface mining;

4 10. the location and names of all streams, creeks,  
5 bodies of water and underground water resources within  
6 lands to be affected;

7 11. drainage on and away from the lands to be affected  
8 including directional flow of water, natural and  
9 artificial drainways and waterways, and streams or  
10 tributaries receiving the discharge;

11 12. the location of buildings and utility lines within  
12 lands to be affected;

13 13. the results of core drillings of consolidated  
14 materials in the overburden when required by the  
15 Department, provided that the Department may not require  
16 core drillings at the applicant's expense in excess of one  
17 core drill for every 25 acres of land to be affected;

18 14. a conservation and reclamation plan and map  
19 acceptable to the Department. The operator shall designate  
20 which parts of the lands to be affected are proposed to be  
21 reclaimed for forest, pasture, crop, horticultural,  
22 homesite, recreational, industrial or other uses including  
23 food, shelter and ground cover for wildlife and shall show  
24 the same by appropriate designation on a reclamation map.  
25 The plan shall:

26 (i) provide for timely compliance with all

1 operator duties set forth in Section 6 of this Act by  
2 feasible and available means; and

3 (ii) provide for storage of all overburden and  
4 refuse.

5 Information respecting the minerals to be mined required by  
6 subparagraph (e)2 of this Section, respecting the estimated  
7 depth to which the mineral deposit will be mined required by  
8 subparagraph (e)7 of this Section, and respecting the results  
9 of core drillings required by subparagraph (e)13 of this  
10 Section shall be held confidential by the Department upon  
11 written request of the applicant.

12 (f) All information required in subsection (e) of this  
13 Section, with the exception of that information which is to be  
14 held in confidentiality by the Department shall be made  
15 available by the operator for public inspection at the county  
16 seat of each county containing land to be affected. The county  
17 board of each county containing lands to be affected may  
18 propose the use for which such lands within its county are to  
19 be reclaimed and such proposal shall be considered by the  
20 Department, provided that any such proposal must be consistent  
21 with all requirements of this Act.

22 Such plan shall be deposited with the county board no less  
23 than 60 days prior to any action on the plan by the Department.  
24 All actions by the county board pursuant to this Section must  
25 be taken within 45 days of receiving the plan.

26 If requested by a county board of a county to be affected

1 under a proposed permit, a public hearing to be conducted by  
2 the Department shall be held in such county on the permit  
3 applicant's proposed reclamation plan. By rules and  
4 regulations the Department shall establish hearing dates which  
5 provide county boards reasonable time in which to have reviewed  
6 the proposed plans and the procedural rules for the calling and  
7 conducting of the public hearing. Such procedural rules shall  
8 include provisions for reasonable notice to all parties,  
9 including the applicant, and reasonable opportunity for all  
10 parties to respond by oral or written testimony, or both, to  
11 statements and objections made at the public hearing. County  
12 boards and the public shall present their recommendations at  
13 these hearings. A complete record of the hearings and all  
14 testimony shall be made by the Department and recorded  
15 stenographically.

16 (g) The Department shall approve a conservation and  
17 reclamation plan if the plan complies with this Act and  
18 completion of the plan will in fact achieve every duty of the  
19 operator required by this Act. The Department's approval of a  
20 plan shall be based upon the advice of technically trained  
21 foresters, agronomists, economists, engineers, planners and  
22 other relevant experts having experience in reclaiming  
23 surface-mined lands, and having scientific or technical  
24 knowledge based upon research into reclaiming and utilizing  
25 surface-mined lands. The Department shall consider all  
26 testimony presented at the public hearings as provided in

1 subsection (f) of this Section. In cases where no public  
2 hearing is held on a proposed plan, the Department shall  
3 consider written testimony from county boards when submitted no  
4 later than 45 days following filing of the proposed plan with  
5 the county board. The Department shall immediately serve copies  
6 of such written testimony on the applicant and give the  
7 applicant a reasonable opportunity to respond by written  
8 testimony. The Department shall consider the short and long  
9 term impact of the proposed mining on vegetation, wildlife,  
10 fish, land use, land values, local tax base, the economy of the  
11 region and the State, employment opportunities, air pollution,  
12 water pollution, soil contamination, noise pollution and  
13 drainage. The Department may consider feasible alternative  
14 uses for which reclamation might prepare the land to be  
15 affected and may analyze the relative costs and effects of such  
16 alternatives. Whenever the Department does not approve the  
17 operator's plan, and whenever the plan approved by the  
18 Department does not conform to the views of the county board  
19 expressed in accordance with subsection (f) of this Section,  
20 the Department shall issue a statement of its reasons for its  
21 determination and shall make such statement public. The  
22 approved plan shall be filed by the applicant with the clerk of  
23 each county containing lands to be affected and such plan shall  
24 be available for public inspection at the office of the clerk  
25 until reclamation is completed and the bond is released in  
26 accordance with the provisions of the Act.

1 (h) Upon receipt of a bond or security, all fees due from  
2 the operator, and approval of the conservation and reclamation  
3 plan by the Department, the Department shall issue a permit to  
4 the applicant which shall entitle him to engage thereafter in  
5 surface mining on the land therein described until the tenth  
6 succeeding June 30, the period for which such permits are  
7 issued being hereafter referred to as the "permit period".

8 (i) The operator may transfer any existing permit to a  
9 second operator, after first notifying the Department of the  
10 intent to transfer said permit. The Department shall transfer  
11 any existing permit to a second party upon written notification  
12 from both parties and the posting of an adequate performance  
13 bond by the new permittee.

14 (Source: P.A. 91-357, eff. 7-29-99; 91-938, eff. 1-11-01.)

15 (225 ILCS 715/10) (from Ch. 96 1/2, par. 4511)

16 Sec. 10. Administration.

17 (a) In addition to the duties and powers of the Department  
18 prescribed by the Civil Administrative Code of Illinois, it  
19 shall have full power and authority to carry out and administer  
20 the provisions of this Act. These powers shall include, but are  
21 not limited to, the imposition of the following fees to enable  
22 the Department to carry out the requirements of this Act:

23 (1) A registration fee of \$475 ~~\$300~~ assessed on July 1  
24 of each calendar year that is due from each operator  
25 engaged in and controlling a permitted or unpermitted

1 surface mining operation. The registration fee shall be  
2 accompanied by a registration form, provided by the  
3 Department, which shall indicate the mailing address and  
4 telephone number of the operator, the location of all  
5 mining operations controlled by the operator, the minerals  
6 being mined, and other information deemed necessary by the  
7 Department. A \$475 ~~\$300~~ registration fee is the maximum  
8 registration fee due from a single operator each calendar  
9 year regardless of the number of sites under the operator's  
10 control.

11 (2) An additional fee of \$175 ~~\$100~~ assessed on July 1  
12 of each calendar year for each site that was actively being  
13 surfaced mined during the preceding 12 months that is due  
14 from the operator engaged in and controlling the permitted  
15 or unpermitted surface mining operations.

16 (3) An additional fee of \$375 ~~\$250~~ assessed on July 1  
17 of each calendar year that is due from each operator  
18 engaged in and controlling a permitted or unpermitted  
19 surface mining operation where blasting operations  
20 occurred during the preceding 12 months.

21 (b) Fees shall be assessed by the Department commencing  
22 July 1, 1995 for every surface mine operator, active mining  
23 site, and active aggregate blasting operation of record as of  
24 that date and on July 1 of each year thereafter. The fees  
25 assessed under this Section are in addition to any other fees  
26 required by law.

1 (c) All fees assessed under this Section shall be submitted  
2 to the Department no later than 30 days from the date listed on  
3 the Department's annual fee assessment letter sent to the  
4 surface mine operator. If the operator is delinquent in the  
5 payment of the fees assessed under this Section, no further  
6 permits or certifications shall be issued to the operator until  
7 the delinquent fees have been paid. Moreover, if the operator  
8 is delinquent for more than 60 days in the payment of fees  
9 assessed under this Section, the Department shall take the  
10 action, in accordance with Section 13 of this Act, necessary to  
11 enjoin further surface mining and aggregate blasting  
12 operations until all delinquent fees are paid.

13 (Source: P.A. 89-26, eff. 6-23-95.)

14 Section 90-43. The Surface Coal Mining Land Conservation  
15 and Reclamation Act is amended by changing Section 2.05 as  
16 follows:

17 (225 ILCS 720/2.05) (from Ch. 96 1/2, par. 7902.05)

18 Sec. 2.05. Application Fee. At the time of submission to  
19 the Department, a ~~A~~ permit application shall be accompanied by  
20 a fee based on the number of surface acres of land to be  
21 affected by the proposed operation. Such fees shall be  
22 established by the Department by rule. An application for  
23 renewal of a permit under Section 2.07 may be filed without  
24 payment of an additional fee. The Department shall assess, by

1 rule, a permit fee for a permit revision to an existing permit.

2 (Source: P.A. 81-1015.)

3 Section 90-45. The Illinois Oil and Gas Act is amended by  
4 changing Sections 14, 19.7, 21.1, 22.2, and 23.3 as follows:

5 (225 ILCS 725/14) (from Ch. 96 1/2, par. 5420)

6 Sec. 14. Each application for permit to drill, deepen,  
7 convert, or amend shall be accompanied by the required fee, not  
8 to exceed \$300 ~~\$100~~, which the Department shall establish by  
9 rule. A fee of \$50 ~~\$15~~ per well shall be paid by the new owner  
10 for each transfer of well ownership, ~~except when multiple wells~~  
11 ~~are acquired and transferred as a part of the same transaction,~~  
12 ~~the fee shall be calculated at the rate of \$15 per well for the~~  
13 ~~first 50 wells, and \$10 for each additional well in excess of~~  
14 ~~50.~~ Except for the assessments required to be deposited in the  
15 Plugging and Restoration Fund under Section 19.7 of this Act,  
16 all fees assessed and collected under this Act shall be  
17 deposited in the Underground Resources Conservation  
18 Enforcement Fund. The monies deposited into the Plugging and  
19 Restoration Fund or the Underground Resources Conservation  
20 Enforcement Fund under this Section shall not be subject to  
21 administrative charges or chargebacks unless otherwise  
22 authorized by this Act.

23 (Source: P.A. 89-243, eff. 8-4-95.)

1 (225 ILCS 725/19.7) (from Ch. 96 1/2, par. 5430.2)

2 Sec. 19.7. The Department shall assess and collect annual  
3 well fees from each permittee in the amount of \$75 per well for  
4 the first 100 wells and a \$50 fee for each well in excess of 100  
5 for which a permit is required under this Act. as follows:

6 ~~(a) Permittees of permits for one well shall pay an annual~~  
7 ~~fee of \$150.~~

8 ~~(b) Permittees of permits for 2 through 5 wells shall pay~~  
9 ~~an annual fee of \$300.~~

10 ~~(c) Permittees of permits for 6 through 25 wells shall pay~~  
11 ~~an annual fee of \$750.~~

12 ~~(d) Permittees of permits for 26 through 100 wells shall~~  
13 ~~pay an annual fee of \$1,500.~~

14 ~~(e) Permittees of permits for over 100 wells shall pay an~~  
15 ~~annual fee of \$1,500 plus an additional \$12.50 for each well in~~  
16 ~~excess of 100.~~

17 Fees shall be assessed for each calendar year commencing in  
18 1991 for all wells of record as of July 1, 1991 and July 1 of  
19 each year thereafter. The fees assessed by the Department under  
20 this Section are in addition to any other fees required by law.  
21 All fees assessed under this Section shall be submitted to the  
22 Department no later than 30 days from the date listed on the  
23 annual fee assessment letter sent to the permittee. Of the fees  
24 assessed and collected by the Department each year under this  
25 Section, 50% shall be deposited into the Underground Resources  
26 Conservation Enforcement Fund, and 50% shall be deposited into

1 the Plugging and Restoration Fund unless, total fees assessed  
2 and collected for any calendar year exceed \$1,500,000; then,  
3 \$750,000 shall be deposited into the Underground Resources  
4 Conservation Enforcement Fund and the balance of the fees  
5 assessed and collected shall be deposited into the Plugging and  
6 Restoration Fund. Upon request of the Department to the  
7 Comptroller and Treasurer, the Comptroller and Treasurer shall  
8 make any interfund transfers necessary to effect the  
9 allocations required by this Section.

10 The monies deposited into the Plugging and Restoration Fund  
11 or the Underground Resources Conservation Enforcement Fund  
12 under this Section shall not be subject to administrative  
13 charges or chargebacks unless otherwise authorized by this Act.

14 (Source: P.A. 87-744.)

15 (225 ILCS 725/21.1) (from Ch. 96 1/2, par. 5433)

16 Sec. 21.1. (a) The Department is authorized to issue  
17 permits for the drilling of wells and to regulate the spacing  
18 of wells for oil and gas purposes. For the prevention of waste,  
19 to protect and enforce the correlative rights of owners in the  
20 pool, and to prevent the drilling of unnecessary wells, the  
21 Department shall, upon application of any interested person and  
22 after notice and hearing, establish a drilling unit or units  
23 for the production of oil and gas or either of them for each  
24 pool, provided that no spacing regulation shall be adopted nor  
25 drilling unit established which requires the allocation of more

1 than 40 acres of surface area nor less than 10 acres of surface  
2 area to an individual well for production of oil from a pool  
3 the top of which lies less than 4,000 feet beneath the surface  
4 (as determined by the original or discovery well in the pool),  
5 provided, however, that the Department may permit the  
6 allocation of greater acreage to an individual well than that  
7 above specified, and provided further that the spacing of wells  
8 in any pool the top of which lies less than 4,000 feet beneath  
9 the surface (as determined by the original or discovery well in  
10 the pool) shall not include the fixing of a pattern except with  
11 respect to the 2 nearest external boundary lines of each  
12 drilling unit, and provided further that no acreage allocation  
13 shall be required for input or injection wells nor for  
14 producing wells lying within a secondary recovery unit as now  
15 or hereafter established.

16 (b) Drilling units shall be of approximately uniform size  
17 and shape for each entire pool, except that where circumstances  
18 reasonably require, the Department may grant exceptions to the  
19 size or shape of any drilling unit or units. Each order  
20 establishing drilling units shall specify the size and shape of  
21 the unit, which shall be such as will result in the efficient  
22 and economical development of the pool as a whole, and subject  
23 to the provisions of subsection (a) hereof the size of no  
24 drilling unit shall be smaller than the maximum area that can  
25 be efficiently and economically drained by one well. Each order  
26 establishing drilling units for a pool shall cover all lands

1 determined or believed to be underlaid by such pool, and may be  
2 modified by the Department from time to time to include  
3 additional lands determined to be underlaid by such pool. Each  
4 order establishing drilling units may be modified by the  
5 Department to change the size thereof, or to permit the  
6 drilling of additional wells.

7 (b-2) Any petition requesting a drilling unit exception  
8 shall be accompanied by a non-refundable application fee in the  
9 amount of \$1,500 for a Modified Drilling Unit or Special  
10 Drilling Unit or a non-refundable application fee in the amount  
11 of \$2,500 for a Pool-Wide Drilling Unit.

12 (c) Each order establishing drilling units shall prohibit  
13 the drilling of more than one well on any drilling unit for the  
14 production of oil or gas from the particular pool with respect  
15 to which the drilling unit is established and subject to the  
16 provisions of subsection (a) hereof shall specify the location  
17 for the drilling of such well thereon, in accordance with a  
18 reasonably uniform spacing pattern, with necessary exceptions  
19 for wells drilled or drilling at the time of the application.  
20 If the Department finds, after notice and hearing, that surface  
21 conditions would substantially add to the burden or hazard of  
22 drilling such well at the specified location, or for some other  
23 reason it would be inequitable or unreasonable to require a  
24 well to be drilled at the specified location, the Department  
25 may issue an order permitting the well to be drilled at a  
26 location other than that specified in the order establishing

1 drilling units.

2 (d) After the date of the notice for a hearing called to  
3 establish drilling units, no additional well shall be commenced  
4 for production from the pool until the order establishing  
5 drilling units has been issued, unless the commencement of the  
6 well is authorized by order of the Department.

7 (e) After an order establishing a drilling unit or units  
8 has been issued by the Department, the commencement of drilling  
9 of any well or wells into the pool with regard to which such  
10 unit was established for the purpose of producing oil or gas  
11 therefrom, at a location other than that authorized by the  
12 order, or by order granting exception to the original spacing  
13 order, is hereby prohibited. The operation of any well drilled  
14 in violation of an order establishing drilling units is hereby  
15 prohibited.

16 (Source: P.A. 85-1334.)

17 (225 ILCS 725/22.2) (from Ch. 96 1/2, par. 5436)

18 Sec. 22.2. Integration of interests in drilling unit.

19 (a) As used in this Section, "owner" means any person  
20 having an interest in the right to drill into and produce oil  
21 or gas from any pool, and to appropriate the production for  
22 such owner or others.

23 (b) Except as provided in subsection (b-5), when 2 or more  
24 separately owned tracts of land are embraced within an  
25 established drilling unit, or when there are separately owned

1 interests in all or a part of such units, the owners of all oil  
2 and gas interests therein may validly agree to integrate their  
3 interests and to develop their lands as a drilling unit. Where,  
4 however, such owners have not agreed to integrate their  
5 interests and where no action has been commenced seeking  
6 permission to drill pursuant to the provisions of "An Act in  
7 relation to oil and gas interests in land", approved July 1,  
8 1939, and where at least one of the owners has drilled or has  
9 proposed to drill a well on an established drilling unit the  
10 Department on the application of an owner shall, for the  
11 prevention of waste or to avoid the drilling of unnecessary  
12 wells, require such owners to do so and to develop their lands  
13 as a drilling unit. The Department, as a part of the order  
14 integrating interests, may prescribe the terms and conditions  
15 upon which the royalty interests in the unit or units shall, in  
16 the absence of voluntary agreement, be determined to be  
17 integrated without the necessity of a subsequent separate order  
18 integrating the royalty interests. Each such integration order  
19 shall be upon terms and conditions that are just and  
20 reasonable.

21 (b-5) When 2 or more separately owned tracts of land are  
22 embraced within an established drilling unit, or when there are  
23 separately owned interests in all or a part of the unit, and  
24 one of the owners is the Department of Natural Resources,  
25 integration of the separate tracts shall be allowed only if,  
26 following a comprehensive environmental impact review

1 performed by the Department, the Department determines that no  
2 substantial or irreversible detrimental harm will occur on  
3 Department lands as a result of any proposed activities  
4 relating to mineral extraction. The environmental impact  
5 review shall include but shall not be limited to an assessment  
6 of the potential destruction or depletion of flora and fauna,  
7 wildlife and its supporting habitat, surface and subsurface  
8 water supplies, aquatic life, and recreational activities  
9 located on the land proposed to be integrated. The Department  
10 shall adopt rules necessary to implement this subsection.

11 (b-6) All proceeds, bonuses, rentals, royalties, and other  
12 inducements and considerations received from the integration  
13 of Department of Natural Resources lands that have not been  
14 purchased by the Department of Natural Resources with moneys  
15 appropriated from the Wildlife and Fish Fund shall be deposited  
16 as follows: at least 50% of the amounts received shall be  
17 deposited into the State Parks Fund and not more than 50% shall  
18 be deposited into the Plugging and Restoration Fund.

19 (c) All orders requiring such integration shall be made  
20 after notice and hearing and shall be upon terms and conditions  
21 that are just and reasonable and will afford to the owners of  
22 all oil and gas interests in each tract in the drilling unit  
23 the opportunity to recover or receive their just and equitable  
24 share of oil or gas from the drilling unit without unreasonable  
25 expense and will prevent or minimize reasonably avoidable  
26 drainage from each integrated drilling unit which is not

1 equalized by counter drainage, but the Department may not limit  
2 the production from any well under this provision. The request  
3 shall be made by petition accompanied by a non-refundable  
4 application fee of \$1,500. The fee shall be deposited into the  
5 Underground Resources Conservation Enforcement Fund. The  
6 monies deposited into the Underground Resources Conservation  
7 Enforcement Fund under this subsection shall not be subject to  
8 administrative charges or chargebacks unless otherwise  
9 authorized by this Act.

10 (d) All operations, including, but not limited to, the  
11 commencement, drilling, or operation of a well upon any portion  
12 of a drilling unit shall be deemed for all purposes the conduct  
13 of such operations upon each separately owned tract in the  
14 drilling unit by the several owners thereof. That portion of  
15 the production allocated to a separately owned tract included  
16 in a drilling unit shall, when produced, be deemed, for all  
17 purposes, to have been actually produced from such tract by a  
18 well drilled thereon.

19 (e) In making the determination of integrating separately  
20 owned interests, and determining to whom the permit should be  
21 issued, the Department may consider:

22 (1) the reasons requiring the integration of separate  
23 interests;

24 (2) the respective interests of the parties in the  
25 drilling unit sought to be established, and the pool or  
26 pools in the field where the proposed drilling unit is

1 located;

2 (3) any parties' prior or present compliance with the  
3 Act and the Department's rules; and

4 (4) any other information relevant to protect the  
5 correlative rights of the parties sought to be affected by  
6 the integration order.

7 (f) Each such integration order shall authorize the  
8 drilling, testing, completing, equipping, and operation of a  
9 well on the drilling unit; provide who may drill and operate  
10 the well; prescribe the time and manner in which all the owners  
11 in the drilling unit may elect to participate therein; and make  
12 provision for the payment by all those who elect to participate  
13 therein of the reasonable actual cost thereof, plus a  
14 reasonable charge for supervision and interest. Should an owner  
15 not elect to voluntarily participate in the risk and costs of  
16 the drilling, testing, completing and operation of a well as  
17 determined by the Department, the integration order shall  
18 provide either that:

19 (1) the nonparticipating owner shall surrender a  
20 leasehold interest to the participating owners on a basis  
21 and for such terms and consideration the Department finds  
22 fair and reasonable; or

23 (2) the nonparticipating owner shall share in a  
24 proportionate part of the production of oil and gas from  
25 the drilling unit determined by the Department, and pay a  
26 proportionate part of operation cost after the

1 participating owners have recovered from the production of  
2 oil or gas from a well all actual costs in the drilling,  
3 testing, completing and operation of the well plus a  
4 penalty to be determined by the Department of not less than  
5 100% nor more than 300% of such actual costs.

6 (g) For the purpose of this Section, the owner or owners of  
7 oil and gas rights in and under an unleased tract of land shall  
8 be regarded as a lessee to the extent of a 7/8 interest in and  
9 to said rights and a lessor to the extent of the remaining 1/8  
10 interest therein.

11 (h) In the event of any dispute relative to costs and  
12 expenses of drilling, testing, equipping, completing and  
13 operating a well, the Department shall determine the proper  
14 costs after due notice to interested parties and a hearing  
15 thereon. The operator of such unit, in addition to any other  
16 right provided by the integration order of the Department,  
17 shall have a lien on the mineral leasehold estate or rights  
18 owned by the other owners therein and upon their shares of the  
19 production from such unit to the extent that costs incurred in  
20 the development and operation upon said unit are a charge  
21 against such interest by order of the Department or by  
22 operation of law. Such liens shall be separable as to each  
23 separate owner within such unit, and shall remain liens until  
24 the owner or owners drilling or operating the well have been  
25 paid the amount due under the terms of the integration order.  
26 The Department is specifically authorized to provide that the

1 owner or owners drilling, or paying for the drilling, or for  
2 the operation of a well for the benefit of all shall be  
3 entitled to production from such well which would be received  
4 by the owner or owners for whose benefit the well was drilled  
5 or operated, after payment of royalty, until the owner or  
6 owners drilling or operating the well have been paid the amount  
7 due under the terms of the integration order settling such  
8 dispute.

9 (Source: P.A. 90-490, eff. 8-17-97.)

10 (225 ILCS 725/23.3) (from Ch. 96 1/2, par. 5440)

11 Sec. 23.3. The Department, upon the petition of any  
12 interested person, shall hold a public hearing to consider the  
13 need for operating a pool, pools, or any portion thereof, as a  
14 unit to enable, authorize and require operations which will  
15 increase the ultimate recovery of oil and gas, prevent the  
16 waste of oil and gas, and protect correlative rights of the  
17 owners of the oil and gas.

18 (1) Such petition shall contain the following:

19 (a) A description of the land and pool, pools, or parts  
20 thereof, within the proposed unit area.

21 (b) The names of all persons owning or having an  
22 interest in the oil and gas rights in the proposed unit  
23 area as of the date of filing the petition, as disclosed by  
24 the records in the office of the recorder for the county or  
25 counties in which the unit area is situated, and their

1 addresses, if known. If the address of any person is  
2 unknown, the petition shall so indicate.

3 (c) A statement of the type of operations contemplated  
4 for the unit area.

5 (d) A copy of a proposed plan of unitization signed by  
6 persons owning not less than 51% of the working interest  
7 underlying the surface within the area proposed to be  
8 unitized, which the petitioner considers fair, reasonable  
9 and equitable; said plan of unitization shall include (or  
10 provide in a separate unit operating agreement, if there be  
11 more than one working interest owner, a copy of which shall  
12 accompany the petition) the following:

13 (i) A plan for allocating to each separately owned  
14 tract in the unit area its share of the oil and gas  
15 produced from the unit area and not required or  
16 consumed in the conduct of the operation of the unit  
17 area or unavoidably lost.

18 (ii) A provision indicating how unit expense shall  
19 be determined and charged to the several owners,  
20 including a provision for carrying or otherwise  
21 financing any working interest owner who has not  
22 executed the proposed plan of unitization and who  
23 elects to be carried or otherwise financed, and  
24 allowing the unit operator, for the benefit of those  
25 working interest owners who have paid the development  
26 and operating costs, the recovery of not more than 150%

1 of such person's actual share of development costs of  
2 the unit plus operating costs, with interest. Recovery  
3 of the money advanced to owners wishing to be financed,  
4 for development and operating costs of the unit,  
5 together with such other sums provided for herein,  
6 shall only be recoverable from such owner's share of  
7 unit production from the unit area.

8 (iii) A procedure and basis upon which wells,  
9 equipment, and other properties of the several working  
10 interest owners within the unit area are to be taken  
11 over and used for unit operations, including the method  
12 of arriving at the compensation therefor.

13 (iv) A plan for maintaining effective supervision  
14 and conduct of unit operations, in respect to which  
15 each working interest owner shall have a vote with a  
16 value corresponding to the percentage of unit expense  
17 chargeable against the interest of such owner.

18 (e) A non-refundable application fee in the amount of  
19 \$2,500.

20 (2) Concurrently with the filing of the petition with the  
21 Department, the petitioner may file or cause to be filed, in  
22 the office of the recorder for the county or counties in which  
23 the affected lands sought to be unitized are located, a notice  
24 setting forth:

25 (a) The type of proceedings before the Department and a  
26 general statement of the purpose of such proceedings.

1           (b) A legal description of the lands, oil and gas lease  
2           or leases, and other oil and gas property interests, which  
3           may be affected by the proposed unitization.

4           (3) Upon the filing of such notice:

5           (a) All transfers of title to oil and gas rights shall  
6           thereafter be subject to the final order of the Department  
7           in such proceedings, and

8           (b) Such notice shall be constructive notification to  
9           every person subsequently acquiring an interest in or a  
10          lien on any of the property affected thereby, and every  
11          person whose interest or lien is not shown of record at the  
12          time of filing such notice shall, for the purpose of this  
13          Act, be deemed a subsequent purchaser and shall be bound by  
14          the proceedings before the Department to the same extent  
15          and in the same manner as if he were a party thereto.

16          (Source: P.A. 89-243, eff. 8-4-95.)

17          Section 90-50. The Fish and Aquatic Life Code is amended by  
18          changing Sections 20-45 and 20-55 as follows:

19           (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

20           (Text of Section before amendment by P.A. 97-498)

21           Sec. 20-45. License fees for residents. Fees for licenses  
22          for residents of the State of Illinois shall be as follows:

23           (a) Except as otherwise provided in this Section, for  
24          sport fishing devices as defined in Section 10-95 or

1 spearing devices as defined in Section 10-110 the fee is  
2 \$14.50 for individuals 16 to 64 years old, and one-half of  
3 the current fishing license fee for individuals age 65 or  
4 older, commencing with the 1994 license year.

5 (b) All residents before using any commercial fishing  
6 device shall obtain a commercial fishing license, the fee  
7 for which shall be \$60 and a resident fishing license, the  
8 fee for which is \$14.50 ~~\$35~~. Each and every commercial  
9 device used shall be licensed by a resident commercial  
10 fisherman as follows:

11 (1) For each 100 lineal yards, or fraction thereof,  
12 of seine the fee is \$18. For each minnow seine, minnow  
13 trap, or net for commercial purposes the fee is \$20.

14 (2) For each device to fish with a 100 hook trot  
15 line device, basket trap, hoop net, or dip net the fee  
16 is \$3.

17 (3) When used in the waters of Lake Michigan, for  
18 the first 2000 lineal feet, or fraction thereof, of  
19 gill net the fee is \$10; and for each 1000 additional  
20 lineal feet, or fraction thereof, the fee is \$10. These  
21 fees shall apply to all gill nets in use in the water  
22 or on drying reels on the shore.

23 (4) For each 100 lineal yards, or fraction thereof,  
24 of gill net or trammel net the fee is \$18.

25 (c) Residents of the State of Illinois may obtain a  
26 sportsmen's combination license that shall entitle the

1 holder to the same non-commercial fishing privileges as  
2 residents holding a license as described in subsection (a)  
3 of this Section and to the same hunting privileges as  
4 residents holding a license to hunt all species as  
5 described in Section 3.1 of the Wildlife Code. No  
6 sportsmen's combination license shall be issued to any  
7 individual who would be ineligible for either the fishing  
8 or hunting license separately. The sportsmen's combination  
9 license fee shall be \$25.50. For residents age 65 or older,  
10 the fee is one-half of the fee charged for a sportsmen's  
11 combination license.

12 (d) For 24 hours of fishing by sport fishing devices as  
13 defined in Section 10-95 or by spearing devices as defined  
14 in Section 10-110 the fee is \$5. This license exempts the  
15 licensee from the requirement for a salmon or inland trout  
16 stamp. The licenses provided for by this subsection are not  
17 required for residents of the State of Illinois who have  
18 obtained the license provided for in subsection (a) of this  
19 Section.

20 (e) All residents before using any commercial mussel  
21 device shall obtain a commercial mussel license, the fee  
22 for which shall be \$50.

23 (f) Residents of this State, upon establishing  
24 residency as required by the Department, may obtain a  
25 lifetime hunting or fishing license or lifetime  
26 sportsmen's combination license which shall entitle the

1 holder to the same non-commercial fishing privileges as  
2 residents holding a license as described in paragraph (a)  
3 of this Section and to the same hunting privileges as  
4 residents holding a license to hunt all species as  
5 described in Section 3.1 of the Wildlife Code. No lifetime  
6 sportsmen's combination license shall be issued to or  
7 retained by any individual who would be ineligible for  
8 either the fishing or hunting license separately, either  
9 upon issuance, or in any year a violation would subject an  
10 individual to have either or both fishing or hunting  
11 privileges rescinded. The lifetime hunting and fishing  
12 license fees shall be as follows:

13 (1) Lifetime fishing: 30 x the current fishing  
14 license fee.

15 (2) Lifetime hunting: 30 x the current hunting  
16 license fee.

17 (3) Lifetime sportsmen's combination license: 30 x  
18 the current sportsmen's combination license fee.

19 Lifetime licenses shall not be refundable. A \$10 fee shall  
20 be charged for reissuing any lifetime license. The Department  
21 may establish rules and regulations for the issuance and use of  
22 lifetime licenses and may suspend or revoke any lifetime  
23 license issued under this Section for violations of those rules  
24 or regulations or other provisions under this Code or the  
25 Wildlife Code. Individuals under 16 years of age who possess a  
26 lifetime hunting or sportsmen's combination license shall have

1 in their possession, while in the field, a certificate of  
2 competency as required under Section 3.2 of the Wildlife Code.  
3 Any lifetime license issued under this Section shall not exempt  
4 individuals from obtaining additional stamps or permits  
5 required under the provisions of this Code or the Wildlife  
6 Code. Individuals required to purchase additional stamps shall  
7 sign the stamps and have them in their possession while fishing  
8 or hunting with a lifetime license. All fees received from the  
9 issuance of lifetime licenses shall be deposited in the Fish  
10 and Wildlife Endowment Fund.

11 Except for licenses issued under subsection (e) of this  
12 Section, all licenses provided for in this Section shall expire  
13 on March 31 of each year, except that the license provided for  
14 in subsection (d) of this Section shall expire 24 hours after  
15 the effective date and time listed on the face of the license.

16 All individuals required to have and failing to have the  
17 license provided for in subsection (a) or (d) of this Section  
18 shall be fined according to the provisions of Section 20-35 of  
19 this Code.

20 All individuals required to have and failing to have the  
21 licenses provided for in subsections (b) and (e) of this  
22 Section shall be guilty of a Class B misdemeanor.

23 (Source: P.A. 96-831, eff. 1-1-10.)

24 (Text of Section after amendment by P.A. 97-498)

25 Sec. 20-45. License fees for residents. Fees for licenses

1 for residents of the State of Illinois shall be as follows:

2 (a) Except as otherwise provided in this Section, for  
3 sport fishing devices as defined in Section 10-95 or  
4 spearing devices as defined in Section 10-110, the fee is  
5 \$14.50 for individuals 16 to 64 years old, one-half of the  
6 current fishing license fee for individuals age 65 or  
7 older, and, commencing with the 2012 license year, one-half  
8 of the current fishing license fee for resident veterans of  
9 the United States Armed Forces after returning from service  
10 abroad or mobilization by the President of the United  
11 States. Veterans must provide, to the Department at one of  
12 the Department's 5 regional offices, verification of their  
13 service. The Department shall establish what constitutes  
14 suitable verification of service for the purpose of issuing  
15 fishing licenses to resident veterans at a reduced fee.

16 (b) All residents before using any commercial fishing  
17 device shall obtain a commercial fishing license, the fee  
18 for which shall be \$60 and a resident fishing license, the  
19 fee for which is \$14.50 ~~\$35~~. Each and every commercial  
20 device used shall be licensed by a resident commercial  
21 fisherman as follows:

22 (1) For each 100 lineal yards, or fraction thereof,  
23 of seine the fee is \$18. For each minnow seine, minnow  
24 trap, or net for commercial purposes the fee is \$20.

25 (2) For each device to fish with a 100 hook trot  
26 line device, basket trap, hoop net, or dip net the fee

1           is \$3.

2           (3) When used in the waters of Lake Michigan, for  
3           the first 2000 lineal feet, or fraction thereof, of  
4           gill net the fee is \$10; and for each 1000 additional  
5           lineal feet, or fraction thereof, the fee is \$10. These  
6           fees shall apply to all gill nets in use in the water  
7           or on drying reels on the shore.

8           (4) For each 100 lineal yards, or fraction thereof,  
9           of gill net or trammel net the fee is \$18.

10          (c) Residents of the State of Illinois may obtain a  
11          sportsmen's combination license that shall entitle the  
12          holder to the same non-commercial fishing privileges as  
13          residents holding a license as described in subsection (a)  
14          of this Section and to the same hunting privileges as  
15          residents holding a license to hunt all species as  
16          described in Section 3.1 of the Wildlife Code. No  
17          sportsmen's combination license shall be issued to any  
18          individual who would be ineligible for either the fishing  
19          or hunting license separately. The sportsmen's combination  
20          license fee shall be \$25.50. For residents age 65 or older,  
21          the fee is one-half of the fee charged for a sportsmen's  
22          combination license. For resident veterans of the United  
23          States Armed Forces after returning from service abroad or  
24          mobilization by the President of the United States, the  
25          fee, commencing with the 2012 license year, is one-half of  
26          the fee charged for a sportsmen's combination license.

1 Veterans must provide to the Department, at one of the  
2 Department's 5 regional offices, verification of their  
3 service. The Department shall establish what constitutes  
4 suitable verification of service for the purpose of issuing  
5 sportsmen's combination licenses to resident veterans at a  
6 reduced fee.

7 (d) For 24 hours of fishing by sport fishing devices as  
8 defined in Section 10-95 or by spearing devices as defined  
9 in Section 10-110 the fee is \$5. This license does not  
10 exempt ~~exempts~~ the licensee from the requirement for a  
11 salmon or inland trout stamp. The licenses provided for by  
12 this subsection are not required for residents of the State  
13 of Illinois who have obtained the license provided for in  
14 subsection (a) of this Section.

15 (e) All residents before using any commercial mussel  
16 device shall obtain a commercial mussel license, the fee  
17 for which shall be \$50.

18 (f) Residents of this State, upon establishing  
19 residency as required by the Department, may obtain a  
20 lifetime hunting or fishing license or lifetime  
21 sportsmen's combination license which shall entitle the  
22 holder to the same non-commercial fishing privileges as  
23 residents holding a license as described in paragraph (a)  
24 of this Section and to the same hunting privileges as  
25 residents holding a license to hunt all species as  
26 described in Section 3.1 of the Wildlife Code. No lifetime

1 sportsmen's combination license shall be issued to or  
2 retained by any individual who would be ineligible for  
3 either the fishing or hunting license separately, either  
4 upon issuance, or in any year a violation would subject an  
5 individual to have either or both fishing or hunting  
6 privileges rescinded. The lifetime hunting and fishing  
7 license fees shall be as follows:

8 (1) Lifetime fishing: 30 x the current fishing  
9 license fee.

10 (2) Lifetime hunting: 30 x the current hunting  
11 license fee.

12 (3) Lifetime sportsmen's combination license: 30 x  
13 the current sportsmen's combination license fee.

14 Lifetime licenses shall not be refundable. A \$10 fee shall  
15 be charged for reissuing any lifetime license. The Department  
16 may establish rules and regulations for the issuance and use of  
17 lifetime licenses and may suspend or revoke any lifetime  
18 license issued under this Section for violations of those rules  
19 or regulations or other provisions under this Code or the  
20 Wildlife Code. Individuals under 16 years of age who possess a  
21 lifetime hunting or sportsmen's combination license shall have  
22 in their possession, while in the field, a certificate of  
23 competency as required under Section 3.2 of the Wildlife Code.  
24 Any lifetime license issued under this Section shall not exempt  
25 individuals from obtaining additional stamps or permits  
26 required under the provisions of this Code or the Wildlife

1 Code. Individuals required to purchase additional stamps shall  
2 sign the stamps and have them in their possession while fishing  
3 or hunting with a lifetime license. All fees received from the  
4 issuance of lifetime licenses shall be deposited in the Fish  
5 and Wildlife Endowment Fund.

6 Except for licenses issued under subsection (e) of this  
7 Section, all licenses provided for in this Section shall expire  
8 on March 31 of each year, except that the license provided for  
9 in subsection (d) of this Section shall expire 24 hours after  
10 the effective date and time listed on the face of the license.

11 All individuals required to have and failing to have the  
12 license provided for in subsection (a) or (d) of this Section  
13 shall be fined according to the provisions of Section 20-35 of  
14 this Code.

15 All individuals required to have and failing to have the  
16 licenses provided for in subsections (b) and (e) of this  
17 Section shall be guilty of a Class B misdemeanor.

18 (Source: P.A. 96-831, eff. 1-1-10; 97-498, eff. 4-1-12.)

19 (515 ILCS 5/20-55) (from Ch. 56, par. 20-55)

20 Sec. 20-55. License fees for non-residents. Fees for  
21 licenses for non-residents of the State of Illinois are as  
22 follows:

23 (a) For sport fishing devices as defined by Section 10-95,  
24 or spearing devices as defined in Section 10-110, non-residents  
25 age 16 or older shall be charged \$31 for a fishing license to

1 fish. For sport fishing devices as defined by Section 10-95, or  
2 spearing devices as defined in Section 10-110, for a period not  
3 to exceed 3 ~~10~~ consecutive days fishing in the State of  
4 Illinois the fee is \$15.00 ~~\$19.50~~.

5 For sport fishing devices as defined in Section 10-95, or  
6 spearing devices as defined in Section 10-110, for 24 hours of  
7 fishing the fee is \$10 ~~\$5~~. This license does not exempt ~~exempts~~  
8 the licensee from the salmon or inland trout stamp requirement.

9 (b) All non-residents before using any commercial fishing  
10 device shall obtain a non-resident commercial fishing license,  
11 the fee for which shall be \$300 and a non-resident fishing  
12 licensing ~~\$150~~. Each and every commercial device shall be  
13 licensed by a non-resident commercial fisherman as follows:

14 (1) For each 100 lineal yards, or fraction thereof, of  
15 seine (excluding minnow seines) the fee is \$36.

16 (2) For each device to fish with a 100 hook trot line  
17 device, basket trap, hoop net, or dip net the fee is \$6.

18 (3) For each 100 lineal yards, or fraction thereof, of  
19 trammel net the fee is \$36.

20 (4) For each 100 lineal yards, or fraction thereof, of  
21 gill net the fee is \$36.

22 All persons required to have and failing to have the  
23 license provided for in subsection (a) of this Section shall be  
24 fined under Section 20-35 of this Code. Each person required to  
25 have and failing to have the licenses required under subsection  
26 (b) of this Section shall be guilty of a Class B misdemeanor.

1 All licenses provided for in this Section shall expire on  
2 March 31 of each year; except that the 24-hour license for  
3 sport fishing devices or spearing devices shall expire 24 hours  
4 after the effective date and time listed on the face of the  
5 license and licenses for sport fishing devices or spearing  
6 devices for a period not to exceed 3 ~~10~~ consecutive days  
7 fishing in the State of Illinois as provided in subsection (a)  
8 of this Section shall expire at midnight on the tenth day after  
9 issued, not counting the day issued.

10 (Source: P.A. 96-831, eff. 1-1-10.)

11 Section 90-55. The Wildlife Code is amended by changing  
12 Sections 2.4 and 3.22 as follows:

13 (520 ILCS 5/2.4) (from Ch. 61, par. 2.4)

14 Sec. 2.4. The term birds of prey shall include all species  
15 of owls, falcons, hawks, kites, harriers, ospreys and eagles.  
16 It shall be unlawful for any person, organization or  
17 institution to take or possess a bird of prey (raptor) without  
18 first obtaining a license or appropriate permit from the  
19 Department. All applicants must be at least 14 years of age.  
20 Regulations for the capture, use, possession and  
21 transportation of birds of prey for falconry or captive  
22 propagation purposes are provided by administrative rule. The  
23 fee for a falconry license is \$200 ~~\$75~~ for 5 ~~3~~ years and must be  
24 renewed every 5 ~~3~~ years. The fee for a captive propagation

1 permit is \$200 ~~\$75~~ for 5 ~~3~~ years and must be renewed every 5 ~~3~~  
2 years. The fee for a raptor capture permit for a resident of  
3 the State of Illinois is \$50 ~~\$30~~ per year. The fee for a  
4 non-resident raptor capture permit is \$100 ~~\$50~~ per year. A  
5 Scientific Collectors Permit, available ~~at no charge~~ to  
6 qualified individuals as provided in Section 3.22 of this Act,  
7 may be obtained from the Department for scientific, educational  
8 or zoological purposes. No person may have in their possession  
9 Bald Eagle, *Haliaeetus leucocephalus*; Osprey, *Pandion*  
10 *haliaeetus*; or Barn Owl, *Tyto alba*. All captive-held birds of  
11 prey must be permanently marked as provided by administrative  
12 rule. The use of birds of prey for the hunting of game birds,  
13 migratory birds, game mammals, and furbearing mammals shall be  
14 lawful during falconry seasons, which shall be set by  
15 administrative rule.

16 (Source: P.A. 86-1046; 87-298.)

17 (520 ILCS 5/3.22) (from Ch. 61, par. 3.22)

18 Sec. 3.22. Issuance of scientific and special purpose  
19 permits. Scientific permits may be granted by the Department to  
20 any properly accredited person at least 18 years of age,  
21 permitting the capture, marking, handling, banding, or  
22 collecting (including fur, hide, skin, teeth, feathers, claws,  
23 nests, eggs, or young), for strictly scientific purposes, of  
24 any of the fauna now protected under this Code. A special  
25 purpose permit may be granted to qualified individuals for the

1 purpose of salvaging dead, sick, orphaned, or crippled wildlife  
2 species protected by this Act for permanent donation to bona  
3 fide public or state scientific, educational or zoological  
4 institutions or, for the purpose of rehabilitation and  
5 subsequent release to the wild, or other disposal as directed  
6 by the Department. Private educational organizations may be  
7 granted a special purpose permit to possess wildlife or parts  
8 thereof for educational purposes. A special purpose permit is  
9 required prior to treatment, administration, or both of any  
10 wild fauna protected by this Code that is captured, handled, or  
11 both in the wild or will be released to the wild with any type  
12 of chemical or other compound (including but not limited to  
13 vaccines, inhalants, medicinal agents requiring oral or dermal  
14 application) regardless of means of delivery, except that  
15 individuals and organizations removing or destroying wild  
16 birds and wild mammals under Section 2.37 of this Code or  
17 releasing game birds under Section 3.23 of this Code are not  
18 required to obtain those special purpose permits. Treatment  
19 under this special purpose permit means to effect a cure or  
20 physiological change within the animal. The criteria,  
21 definitions, application process, fees, and standards for a  
22 scientific or special purpose permit shall be provided by  
23 administrative rule. The annual fee for a scientific or special  
24 purpose permit shall not exceed \$100. The Department shall set  
25 forth applicable regulations in an administrative rule  
26 covering qualifications and facilities needed to obtain both a

1 scientific and a special purpose permit. The application for  
2 these permits shall be approved by the Department to determine  
3 if a permit should be issued. Disposition of fauna taken under  
4 the authority of this Section shall be specified by the  
5 Department.

6 The holder of each such scientific or special purpose  
7 permit shall make to the Department a report in writing upon  
8 blanks furnished by the Department. Such reports shall be made  
9 (i) annually if the permit is granted for a period of more than  
10 one year or (ii) within 30 days after the expiration of the  
11 permit if the permit is granted for a period of one year or  
12 less. Such reports shall include information which the  
13 Department may consider necessary.

14 (Source: P.A. 96-979, eff. 7-2-10.)

15 Section 90-57. The Illinois Natural Areas Preservation Act  
16 is amended by changing Section 6.01 as follows:

17 (525 ILCS 30/6.01) (from Ch. 105, par. 706.01)

18 Sec. 6.01. To compile and maintain inventories, registers  
19 and records of nature preserves, other natural areas and  
20 features, and species of plants and animals and their habitats  
21 and establish a fee, by rule, to be collected to recover the  
22 actual cost of collecting, storing, managing, compiling, and  
23 providing access to such inventories, registers, and records.  
24 All fees collected under this Section shall be deposited into

1 the Natural Areas Acquisition Fund. The monies deposited into  
2 the Natural Areas Acquisition Fund under this Section shall not  
3 be subject to administrative charges or chargebacks unless  
4 otherwise authorized by this Act.

5 (Source: P.A. 82-445.)

6 Section 90-60. The Rivers, Lakes, and Streams Act is  
7 amended by adding Section 35 as follows:

8 (615 ILCS 5/35 new)

9 Sec. 35. Permit fees. The Department of Natural Resources  
10 shall collect a fee of up to \$5,000 per application for permits  
11 issued under this Act. The Department of Natural Resources  
12 shall set the specific fee applicable to different permits  
13 issued under this Act by administrative rule, provided that no  
14 fee exceeds \$5,000. All fees collected pursuant to this Section  
15 shall be deposited in the State Boating Act Fund for use by the  
16 Department of Natural Resources for the ordinary and contingent  
17 expenses of the Department of Natural Resources. No permit  
18 application shall be processed until the application fee is  
19 paid to the Department of Natural Resources. The monies  
20 deposited into the State Boating Act Fund under this Section  
21 shall not be subject to administrative charges or chargebacks  
22 unless otherwise authorized by this Act.

23 Section 90-80. The Illinois Vehicle Code is amended by

1 changing Sections 2-119, 3-806, and 3-815 as follows:

2 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

3 Sec. 2-119. Disposition of fees and taxes.

4 (a) All moneys received from Salvage Certificates shall be  
5 deposited in the Common School Fund in the State Treasury.

6 (b) Beginning January 1, 1990 and concluding December 31,  
7 1994, of the money collected for each certificate of title,  
8 duplicate certificate of title and corrected certificate of  
9 title, \$0.50 shall be deposited into the Used Tire Management  
10 Fund. Beginning January 1, 1990 and concluding December 31,  
11 1994, of the money collected for each certificate of title,  
12 duplicate certificate of title and corrected certificate of  
13 title, \$1.50 shall be deposited in the Park and Conservation  
14 Fund.

15 Beginning January 1, 1995, of the money collected for each  
16 certificate of title, duplicate certificate of title and  
17 corrected certificate of title, \$3.25 ~~\$2~~ shall be deposited in  
18 the Park and Conservation Fund. The moneys deposited in the  
19 Park and Conservation Fund pursuant to this Section shall be  
20 used for the acquisition and development of bike paths as  
21 provided for in Section 805-420 of the Department of Natural  
22 Resources (Conservation) Law (20 ILCS 805/805-420). The monies  
23 deposited into the Park and Conservation Fund under this  
24 subsection shall not be subject to administrative charges or  
25 chargebacks unless otherwise authorized by this Act.

1           Beginning January 1, 2000, of the moneys collected for each  
2 certificate of title, duplicate certificate of title, and  
3 corrected certificate of title, \$48 shall be deposited into the  
4 Road Fund and \$4 shall be deposited into the Motor Vehicle  
5 License Plate Fund, except that if the balance in the Motor  
6 Vehicle License Plate Fund exceeds \$40,000,000 on the last day  
7 of a calendar month, then during the next calendar month the \$4  
8 shall instead be deposited into the Road Fund.

9           Beginning January 1, 2005, of the moneys collected for each  
10 delinquent vehicle registration renewal fee, \$20 shall be  
11 deposited into the General Revenue Fund.

12           Except as otherwise provided in this Code, all remaining  
13 moneys collected for certificates of title, and all moneys  
14 collected for filing of security interests, shall be placed in  
15 the General Revenue Fund in the State Treasury.

16           (c) All moneys collected for that portion of a driver's  
17 license fee designated for driver education under Section 6-118  
18 shall be placed in the Driver Education Fund in the State  
19 Treasury.

20           (d) Beginning January 1, 1999, of the monies collected as a  
21 registration fee for each motorcycle, motor driven cycle and  
22 moped, 27% of each annual registration fee for such vehicle and  
23 27% of each semiannual registration fee for such vehicle is  
24 deposited in the Cycle Rider Safety Training Fund.

25           (e) Of the monies received by the Secretary of State as  
26 registration fees or taxes or as payment of any other fee, as

1 provided in this Act, except fees received by the Secretary  
2 under paragraph (7) of subsection (b) of Section 5-101 and  
3 Section 5-109 of this Code, 37% shall be deposited into the  
4 State Construction Fund.

5 (f) Of the total money collected for a CDL instruction  
6 permit or original or renewal issuance of a commercial driver's  
7 license (CDL) pursuant to the Uniform Commercial Driver's  
8 License Act (UCDLA): (i) \$6 of the total fee for an original or  
9 renewal CDL, and \$6 of the total CDL instruction permit fee  
10 when such permit is issued to any person holding a valid  
11 Illinois driver's license, shall be paid into the  
12 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License  
13 Information System/American Association of Motor Vehicle  
14 Administrators network Trust Fund) and shall be used for the  
15 purposes provided in Section 6z-23 of the State Finance Act and  
16 (ii) \$20 of the total fee for an original or renewal CDL or  
17 commercial driver instruction permit shall be paid into the  
18 Motor Carrier Safety Inspection Fund, which is hereby created  
19 as a special fund in the State Treasury, to be used by the  
20 Department of State Police, subject to appropriation, to hire  
21 additional officers to conduct motor carrier safety  
22 inspections pursuant to Chapter 18b of this Code.

23 (g) All remaining moneys received by the Secretary of State  
24 as registration fees or taxes or as payment of any other fee,  
25 as provided in this Act, except fees received by the Secretary  
26 under paragraph (7) (A) of subsection (b) of Section 5-101 and

1 Section 5-109 of this Code, shall be deposited in the Road Fund  
2 in the State Treasury. Moneys in the Road Fund shall be used  
3 for the purposes provided in Section 8.3 of the State Finance  
4 Act.

5 (h) (Blank).

6 (i) (Blank).

7 (j) (Blank).

8 (k) There is created in the State Treasury a special fund  
9 to be known as the Secretary of State Special License Plate  
10 Fund. Money deposited into the Fund shall, subject to  
11 appropriation, be used by the Office of the Secretary of State  
12 (i) to help defray plate manufacturing and plate processing  
13 costs for the issuance and, when applicable, renewal of any new  
14 or existing registration plates authorized under this Code and  
15 (ii) for grants made by the Secretary of State to benefit  
16 Illinois Veterans Home libraries.

17 On or before October 1, 1995, the Secretary of State shall  
18 direct the State Comptroller and State Treasurer to transfer  
19 any unexpended balance in the Special Environmental License  
20 Plate Fund, the Special Korean War Veteran License Plate Fund,  
21 and the Retired Congressional License Plate Fund to the  
22 Secretary of State Special License Plate Fund.

23 (l) The Motor Vehicle Review Board Fund is created as a  
24 special fund in the State Treasury. Moneys deposited into the  
25 Fund under paragraph (7) of subsection (b) of Section 5-101 and  
26 Section 5-109 shall, subject to appropriation, be used by the

1 Office of the Secretary of State to administer the Motor  
2 Vehicle Review Board, including without limitation payment of  
3 compensation and all necessary expenses incurred in  
4 administering the Motor Vehicle Review Board under the Motor  
5 Vehicle Franchise Act.

6 (m) Effective July 1, 1996, there is created in the State  
7 Treasury a special fund to be known as the Family  
8 Responsibility Fund. Moneys deposited into the Fund shall,  
9 subject to appropriation, be used by the Office of the  
10 Secretary of State for the purpose of enforcing the Family  
11 Financial Responsibility Law.

12 (n) The Illinois Fire Fighters' Memorial Fund is created as  
13 a special fund in the State Treasury. Moneys deposited into the  
14 Fund shall, subject to appropriation, be used by the Office of  
15 the State Fire Marshal for construction of the Illinois Fire  
16 Fighters' Memorial to be located at the State Capitol grounds  
17 in Springfield, Illinois. Upon the completion of the Memorial,  
18 moneys in the Fund shall be used in accordance with Section  
19 3-634.

20 (o) Of the money collected for each certificate of title  
21 for all-terrain vehicles and off-highway motorcycles, \$17  
22 shall be deposited into the Off-Highway Vehicle Trails Fund.

23 (p) For audits conducted on or after July 1, 2003 pursuant  
24 to Section 2-124(d) of this Code, 50% of the money collected as  
25 audit fees shall be deposited into the General Revenue Fund.

26 (Source: P.A. 96-554, eff. 1-1-10.)

1 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)  
 2 Sec. 3-806. Registration Fees; Motor Vehicles of the First  
 3 Division. Every owner of any other motor vehicle of the first  
 4 division, except as provided in Sections 3-804, 3-804.01,  
 5 3-805, 3-806.3, 3-806.7, and 3-808, and every second division  
 6 vehicle weighing 8,000 pounds or less, shall pay the Secretary  
 7 of State an annual registration fee at the following rates:

8 SCHEDULE OF REGISTRATION FEES

9 REQUIRED BY LAW

10 Beginning with the 2010 registration year

11 Annual

12 Fee

13 Motor vehicles of the first

14 division other than

15 Motorcycles, Motor Driven

16 Cycles and Pedalcycles \$98

17 Motorcycles, Motor Driven

18 Cycles and Pedalcycles 38

19 Beginning with the 2010 registration year a \$1 surcharge  
 20 shall be collected in addition to the above fees for motor  
 21 vehicles of the first division, motorcycles, motor driven  
 22 cycles, and pedalcycles to be deposited into the State Police  
 23 Vehicle Fund.

24 All of the proceeds of the additional fees imposed by

1 Public Act 96-34 shall be deposited into the Capital Projects  
2 Fund.

3 Beginning with the 2014 registration year, a \$2 surcharge  
4 shall be collected in addition to the above fees for motor  
5 vehicles of the first division, motorcycles, motor driven  
6 cycles, and pedalcycles to be deposited into the Park and  
7 Conservation Fund for the Department of Natural Resources to  
8 use for conservation efforts. The monies deposited into the  
9 Park and Conservation Fund under this Section shall not be  
10 subject to administrative charges or chargebacks unless  
11 otherwise authorized by this Act.

12 (Source: P.A. 96-34, eff. 7-13-09; 96-747, eff. 1-1-10;  
13 96-1000, eff. 7-2-10; 97-412, eff. 1-1-12.)

14 (625 ILCS 5/3-815) (from Ch. 95 1/2, par. 3-815)

15 Sec. 3-815. Flat weight tax; vehicles of the second  
16 division.

17 (a) Except as provided in Section 3-806.3, every owner of a  
18 vehicle of the second division registered under Section 3-813,  
19 and not registered under the mileage weight tax under Section  
20 3-818, shall pay to the Secretary of State, for each  
21 registration year, for the use of the public highways, a flat  
22 weight tax at the rates set forth in the following table, the  
23 rates including the \$10 registration fee:

24 SCHEDULE OF FLAT WEIGHT TAX

25 REQUIRED BY LAW

1	Gross Weight in Lbs.		Total Fees
2	Including Vehicle		each Fiscal
3	and Maximum		year
4	Load	Class	
5	8,000 lbs. and less	B	\$98
6	8,001 lbs. to 12,000 lbs.	D	138
7	12,001 lbs. to 16,000 lbs.	F	242
8	16,001 lbs. to 26,000 lbs.	H	490
9	26,001 lbs. to 28,000 lbs.	J	630
10	28,001 lbs. to 32,000 lbs.	K	842
11	32,001 lbs. to 36,000 lbs.	L	982
12	36,001 lbs. to 40,000 lbs.	N	1,202
13	40,001 lbs. to 45,000 lbs.	P	1,390
14	45,001 lbs. to 50,000 lbs.	Q	1,538
15	50,001 lbs. to 54,999 lbs.	R	1,698
16	55,000 lbs. to 59,500 lbs.	S	1,830
17	59,501 lbs. to 64,000 lbs.	T	1,970
18	64,001 lbs. to 73,280 lbs.	V	2,294
19	73,281 lbs. to 77,000 lbs.	X	2,622
20	77,001 lbs. to 80,000 lbs.	Z	2,790

21       Beginning with the 2010 registration year a \$1 surcharge  
22 shall be collected for vehicles registered in the 8,000 lbs.  
23 and less flat weight plate category above to be deposited into  
24 the State Police Vehicle Fund.

25       Beginning with the 2014 registration year, a \$2 surcharge  
26 shall be collected in addition to the above fees for vehicles

1 registered in the 8,000 lb. and less flat weight plate category  
2 as described in this subsection (a) to be deposited into the  
3 Park and Conservation Fund for the Department of Natural  
4 Resources to use for conservation efforts. The monies deposited  
5 into the Park and Conservation Fund under this Section shall  
6 not be subject to administrative charges or chargebacks unless  
7 otherwise authorized by this Act.

8 All of the proceeds of the additional fees imposed by this  
9 amendatory Act of the 96th General Assembly shall be deposited  
10 into the Capital Projects Fund.

11 (a-1) A Special Hauling Vehicle is a vehicle or combination  
12 of vehicles of the second division registered under Section  
13 3-813 transporting asphalt or concrete in the plastic state or  
14 a vehicle or combination of vehicles that are subject to the  
15 gross weight limitations in subsection (a) of Section 15-111  
16 for which the owner of the vehicle or combination of vehicles  
17 has elected to pay, in addition to the registration fee in  
18 subsection (a), \$125 to the Secretary of State for each  
19 registration year. The Secretary shall designate this class of  
20 vehicle as a Special Hauling Vehicle.

21 (b) Except as provided in Section 3-806.3, every camping  
22 trailer, motor home, mini motor home, travel trailer, truck  
23 camper or van camper used primarily for recreational purposes,  
24 and not used commercially, nor for hire, nor owned by a  
25 commercial business, may be registered for each registration  
26 year upon the filing of a proper application and the payment of

1 a registration fee and highway use tax, according to the  
 2 following table of fees:

3 MOTOR HOME, MINI MOTOR HOME, TRUCK CAMPER OR VAN CAMPER

4 Gross Weight in Lbs.	Total Fees
5 Including Vehicle and	Each
6 Maximum Load	Calendar Year
7 8,000 lbs and less	\$78
8 8,001 Lbs. to 10,000 Lbs	90
9 10,001 Lbs. and Over	102

10 CAMPING TRAILER OR TRAVEL TRAILER

11 Gross Weight in Lbs.	Total Fees
12 Including Vehicle and	Each
13 Maximum Load	Calendar Year
14 3,000 Lbs. and Less	\$18
15 3,001 Lbs. to 8,000 Lbs.	30
16 8,001 Lbs. to 10,000 Lbs.	38
17 10,001 Lbs. and Over	50

18 Every house trailer must be registered under Section 3-819.

19 (c) Farm Truck. Any truck used exclusively for the owner's  
 20 own agricultural, horticultural or livestock raising  
 21 operations and not-for-hire only, or any truck used only in the  
 22 transportation for-hire of seasonal, fresh, perishable fruit  
 23 or vegetables from farm to the point of first processing, may  
 24 be registered by the owner under this paragraph in lieu of  
 25 registration under paragraph (a), upon filing of a proper  
 26 application and the payment of the \$10 registration fee and the

1 highway use tax herein specified as follows:

2 SCHEDULE OF FEES AND TAXES

3 Gross Weight in Lbs.		Total Amount for
4 Including Truck and		each
5 Maximum Load	Class	Fiscal Year
6 16,000 lbs. or less	VF	\$150
7 16,001 to 20,000 lbs.	VG	226
8 20,001 to 24,000 lbs.	VH	290
9 24,001 to 28,000 lbs.	VJ	378
10 28,001 to 32,000 lbs.	VK	506
11 32,001 to 36,000 lbs.	VL	610
12 36,001 to 45,000 lbs.	VP	810
13 45,001 to 54,999 lbs.	VR	1,026
14 55,000 to 64,000 lbs.	VT	1,202
15 64,001 to 73,280 lbs.	VV	1,290
16 73,281 to 77,000 lbs.	VX	1,350
17 77,001 to 80,000 lbs.	VZ	1,490

18 In the event the Secretary of State revokes a farm truck  
19 registration as authorized by law, the owner shall pay the flat  
20 weight tax due hereunder before operating such truck.

21 Any combination of vehicles having 5 axles, with a distance  
22 of 42 feet or less between extreme axles, that are subject to  
23 the weight limitations in subsection (a) of Section 15-111 for  
24 which the owner of the combination of vehicles has elected to  
25 pay, in addition to the registration fee in subsection (c),  
26 \$125 to the Secretary of State for each registration year shall

1 be designated by the Secretary as a Special Hauling Vehicle.

2 (d) The number of axles necessary to carry the maximum load  
3 provided shall be determined from Chapter 15 of this Code.

4 (e) An owner may only apply for and receive 5 farm truck  
5 registrations, and only 2 of those 5 vehicles shall exceed  
6 59,500 gross weight in pounds per vehicle.

7 (f) Every person convicted of violating this Section by  
8 failure to pay the appropriate flat weight tax to the Secretary  
9 of State as set forth in the above tables shall be punished as  
10 provided for in Section 3-401.

11 (Source: P.A. 96-34, eff. 7-13-09; 97-201, eff. 1-1-12.)

12 Section 90-85. The Snowmobile Registration and Safety Act  
13 is amended by changing Sections 1-2.02, 3-2, and 3-6 as  
14 follows:

15 (625 ILCS 40/1-2.02) (from Ch. 95 1/2, par. 601-2.02)

16 Sec. 1-2.02.

17 "Dealer" means any person who engages in the business of  
18 manufacturing, selling, or dealing in, on consignment or  
19 otherwise, any number of new snowmobiles, or 5 or more used  
20 snowmobiles of any make during the year, including any  
21 watercraft or off-highway vehicle dealer or a person licensed  
22 as a new or used vehicle dealer who also sells or deals in, on  
23 consignment or otherwise, any number of snowmobiles as defined  
24 by this Act ~~a person, partnership, or corporation engaged in~~

1 ~~the business of manufacturing, selling, or leasing snowmobiles~~  
2 ~~at wholesale or retail.~~

3 (Source: P.A. 78-856.)

4 (625 ILCS 40/3-2) (from Ch. 95 1/2, par. 603-2)

5 Sec. 3-2. Identification Number Application. The owner of  
6 each snowmobile requiring numbering by this State shall file an  
7 application for number with the Department on forms approved by  
8 it. The application shall be signed by the owner of the  
9 snowmobile and shall be accompanied by a fee of \$30. When a  
10 snowmobile dealer sells a snowmobile the dealer shall, at the  
11 time of sale, require the buyer to complete an application for  
12 the registration certificate, collect the required fee and mail  
13 the application and fee to the Department no later than 15 ~~14~~  
14 days after the date of sale. Combination application-receipt  
15 forms shall be provided by the Department and the dealer shall  
16 furnish the buyer with the completed receipt showing that  
17 application for registration has been made. This completed  
18 receipt shall be in the possession of the user of the  
19 snowmobile until the registration certificate is received. No  
20 snowmobile dealer may charge an additional fee to the buyer for  
21 performing this service required under this subsection.  
22 However, no purchaser exempted under Section 3-11 of this Act  
23 shall be charged any fee or be subject to the other  
24 requirements of this Section. The application form shall so  
25 state in clear language the requirements of this Section and

1 the penalty for violation near the place on the application  
2 form provided for indicating the intention to register in  
3 another jurisdiction. Each dealer shall maintain, for one year,  
4 a record in a form prescribed by the Department for each  
5 snowmobile sold. These records shall be open to inspection by  
6 the Department. Upon receipt of the application in approved  
7 form the Department shall enter the same upon the records of  
8 its office and issue to the applicant a certificate of number  
9 stating the number awarded to the snowmobile and the name and  
10 address of the owner.

11 For the registration years beginning on or after January 1,  
12 2017, the application shall be signed by the owner of the  
13 snowmobile and shall be accompanied by a fee of \$45.

14 (Source: P.A. 96-1291, eff. 4-1-11.)

15 (625 ILCS 40/3-6) (from Ch. 95 1/2, par. 603-6)

16 Sec. 3-6. Loss of certificate.

17 Should a certificate of number or registration expiration  
18 decal become lost, destroyed, or mutilated beyond legibility,  
19 the owner of the snowmobile shall make application to the  
20 Department for the replacement of the certificate or decal,  
21 giving his name, address, and the number of his snowmobile and  
22 shall at the same time pay to the Department a fee of \$5 ~~\$1~~.

23 (Source: P.A. 77-1312.)

24 Section 90-90. The Boat Registration and Safety Act is

1 amended by changing Sections 1-2, 3-1, 3-2, 3-3, 3-4, 3-5, 3-9,  
2 3-11, 3-12, and 3A-16 and by adding Sections 3-1.5 and 3-7.5 as  
3 follows:

4 (625 ILCS 45/1-2) (from Ch. 95 1/2, par. 311-2)

5 Sec. 1-2. Definitions. As used in this Act, unless the  
6 context clearly requires a different meaning:

7 "Vessel" or "Watercraft" means every description of  
8 watercraft used or capable of being used as a means of  
9 transportation on water, except a seaplane on the water,  
10 ~~innertube~~, air mattress or similar device, and boats used for  
11 concession rides in artificial bodies of water designed and  
12 used exclusively for such concessions.

13 "Motorboat" means any vessel propelled by machinery,  
14 whether or not such machinery is the principal source of  
15 propulsion, but does not include a vessel which has a valid  
16 marine document issued by the Bureau of Customs of the United  
17 States Government or any Federal agency successor thereto.

18 "Non-powered watercraft" means any canoe, kayak,  
19 kiteboard, paddleboard, float tube, or watercraft not  
20 propelled by sail, canvas, or machinery of any sort.

21 "Sailboat" means any watercraft propelled by sail or  
22 canvas, including sailboards. For the purposes of this Act, any  
23 watercraft propelled by both sail or canvas and machinery of  
24 any sort shall be deemed a motorboat when being so propelled.

25 "Airboat" means any boat (but not including airplanes or

1 hydroplanes) propelled by machinery applying force against the  
2 air rather than the water as a means of propulsion.

3 "Dealer" means any person who engages in the business of  
4 manufacturing, selling, or dealing in, on consignment or  
5 otherwise, any number of new watercraft, or 5 or more used  
6 watercraft of any make during the year, including any  
7 off-highway vehicle dealer or snowmobile dealer or a person  
8 licensed as a new or used vehicle dealer who also sells or  
9 deals in, on consignment or otherwise, any number of watercraft  
10 as defined in this Act.

11 "Lifeboat" means a small boat kept on board a larger boat  
12 for use in emergency.

13 "Owner" means a person, other than lien holder, having  
14 title to a motorboat. The term includes a person entitled to  
15 the use or possession of a motorboat subject to an interest in  
16 another person, reserved or created by agreement and securing  
17 payment of performance of an obligation, but the term excludes  
18 a lessee under a lease not intended as security.

19 "Waters of this State" means any water within the  
20 jurisdiction of this State.

21 "Person" means an individual, partnership, firm,  
22 corporation, association, or other entity.

23 "Operate" means to navigate or otherwise use a motorboat or  
24 vessel.

25 "Department" means the Department of Natural Resources.

26 "Competent" means capable of assisting a skier in case of

1 injury or accident.

2 "Personal flotation device" or "PFD" means a device that is  
3 approved by the Commandant, U.S. Coast Guard, under Part 160 of  
4 Title 46 of the Code of Federal Regulations.

5 "Recreational boat" means any vessel manufactured or used  
6 primarily for noncommercial use; or leased, rented or chartered  
7 to another for noncommercial use.

8 "Personal watercraft" means a vessel that uses an inboard  
9 motor powering a water jet pump as its primary source of motor  
10 power and that is designed to be operated by a person sitting,  
11 standing, or kneeling on the vessel, rather than the  
12 conventional manner of sitting or standing inside the vessel,  
13 and includes vessels that are similar in appearance and  
14 operation but are powered by an outboard or propeller drive  
15 motor.

16 "Specialty prop-craft" means a vessel that is similar in  
17 appearance and operation to a personal watercraft but that is  
18 powered by an outboard or propeller driven motor.

19 "Underway" applies to a vessel or watercraft at all times  
20 except when it is moored at a dock or anchorage area.

21 "Use" applies to all vessels on the waters of this State,  
22 whether moored or underway.

23 (Source: P.A. 89-445, eff. 2-7-96.)

24 (625 ILCS 45/3-1) (from Ch. 95 1/2, par. 313-1)

25 Sec. 3-1. Unlawful operation of unnumbered watercraft.

1 Every watercraft other than non-powered watercraft ~~sailboards,~~  
2 on waters within the jurisdiction of this State shall be  
3 numbered. No person may operate or give permission for the  
4 operation of any such watercraft on such waters unless the  
5 watercraft is numbered in accordance with this Act, or in  
6 accordance with applicable Federal law, or in accordance with a  
7 Federally-approved numbering system of another State, and  
8 unless (1) the certificate of number awarded to such watercraft  
9 is in full force and effect, and (2) the identifying number set  
10 forth in the certificate of number is displayed on each side of  
11 the bow of such watercraft.

12 (Source: P.A. 85-149.)

13 (625 ILCS 45/3-1.5 new)

14 Sec. 3-1.5. Water usage stamp. Any person using a  
15 non-powered watercraft on the waters of this State shall have a  
16 valid water usage stamp affixed to an area easily visible  
17 either on the exterior or interior of the device. The  
18 Department shall establish rules and regulations for the  
19 purchase of water usage stamps. Each water usage stamp shall  
20 bear the calendar year the stamp is in effect. The fee for a  
21 water usage stamp is \$6 per stamp for the first 3 stamps. Any  
22 person who purchases more than 3 water usage stamps receives  
23 each subsequent stamp for \$3 each.

24 (625 ILCS 45/3-2) (from Ch. 95 1/2, par. 313-2)



1       The Department shall deposit 20% of all money collected  
2       from watercraft registrations into the Conservation Police  
3       Operations Assistance Fund. The monies deposited into the  
4       Conservation Police Operations Assistance Fund under this  
5       Section shall not be subject to administrative charges or  
6       chargebacks unless otherwise authorized by this Act.

7       (Source: P.A. 93-32, eff. 7-1-03; 94-45, eff. 1-1-06.)

8             (625 ILCS 45/3-3) (from Ch. 95 1/2, par. 313-3)

9             Sec. 3-3. Identification number display.

10            A. The owner shall paint on or attach to both sides of the  
11            bow (front) of a watercraft the identification number, which  
12            shall be of block characters at least 3 inches in height. The  
13            figures shall read from left to right, be of contrasting color  
14            to their background, and be maintained in a legible condition.  
15            No other number shall be displayed on the bow of the boat. In  
16            affixing the number to the boat, a space or a hyphen shall be  
17            provided between the IL and the number and another space or  
18            hyphen between the number and the letters which follow. On  
19            vessels of unconventional design or constructed so that it is  
20            impractical or impossible to display identification numbers in  
21            a prominent position on the forward half of their hulls or  
22            permanent substructures, numbers may be displayed in brackets  
23            or fixtures firmly attached to the vessel. Exact positioning of  
24            the numbers in brackets or protruding fixtures shall be  
25            discretionary with vessel owners, providing the numbers are

1 placed on the forward half of the vessel and meet the standard  
2 requirements for legibility, size, style and contrast with the  
3 background.

4 B. A watercraft already covered by a number in full force  
5 and effect which has been awarded to it pursuant to Federal law  
6 is exempt from number display as prescribed by this Section.

7 C. All non-powered watercraft ~~canoes and kayaks~~ are exempt  
8 from number display as prescribed by this Section.

9 (Source: P.A. 87-391.)

10 (625 ILCS 45/3-4) (from Ch. 95 1/2, par. 313-4)

11 Sec. 3-4. Destruction, sale, transfer or abandonment. The  
12 owner of any watercraft shall within 15 days notify the  
13 Department if the watercraft is destroyed or abandoned, or is  
14 sold or transferred either wholly or in part to another person  
15 or persons. In sale or transfer cases, the notice shall be  
16 accompanied by a surrender of the certificate of number. In  
17 destruction or abandonment cases, the notice shall be  
18 accompanied by a surrender of the certificate of title. When  
19 the surrender of the certificate is by reason of the watercraft  
20 being destroyed or abandoned, the Department shall cancel the  
21 certificate and enter such fact in its records. The Department  
22 shall be notified in writing of any change of address. Should  
23 the owner desire a new certificate of number, showing the new  
24 address, he shall surrender his old certificate and notify the  
25 Department of the new address, remitting \$1 to cover the

1 issuance of a new certificate of number. If the surrender is by  
2 reason of a sale or transfer either wholly or in part to  
3 another person or persons, the owner surrendering the  
4 certificate shall state to the Department, under oath, the name  
5 of the purchaser or transferee.

6 Non-powered watercraft are exempt from this Section.

7 (Source: P.A. 85-149.)

8 (625 ILCS 45/3-5) (from Ch. 95 1/2, par. 313-5)

9 Sec. 3-5. Transfer of Identification Number. The purchaser  
10 of a watercraft shall, within 15 days after acquiring same,  
11 make application to the Department for transfer to him of the  
12 certificate of number issued to the watercraft giving his name,  
13 address and the number of the boat. The purchaser shall apply  
14 for a transfer-renewal for a fee as prescribed under Section  
15 3-2 of this Act for approximately 3 years. All transfers will  
16 bear June 30 expiration dates in the calendar year of  
17 expiration. Upon receipt of the application and fee, together  
18 with proof that any tax imposed under the Municipal Use Tax Act  
19 or County Use Tax Act has been paid or that no such tax is owed,  
20 the Department shall transfer the certificate of number issued  
21 to the watercraft to the new owner.

22 Unless the application is made and fee paid, and proof of  
23 payment of municipal use tax or county use tax or nonliability  
24 therefor is made, within 30 days, the watercraft shall be  
25 deemed to be without certificate of number and it shall be

1 unlawful for any person to operate the watercraft until the  
2 certificate is issued.

3 Non-powered watercraft are exempt from this Section.

4 (Source: P.A. 87-1109.)

5 (625 ILCS 45/3-7.5 new)

6 Sec. 3-7.5. Replacement water usage sticker. If a water  
7 usage sticker is lost, destroyed, or mutilated beyond  
8 legibility, a new water usage sticker shall be required before  
9 the non-powered watercraft is used on the waters of this State.

10 (625 ILCS 45/3-9) (from Ch. 95 1/2, par. 313-9)

11 Sec. 3-9. Certificate of Number. Every certificate of  
12 number awarded pursuant to this Act shall continue in full  
13 force and effect for approximately 3 years unless sooner  
14 terminated or discontinued in accordance with this Act. All new  
15 certificates issued will bear June 30 expiration dates in the  
16 calendar year 3 years after the issuing date. Provided however,  
17 that the Department may, for purposes of implementing this  
18 Section, adopt rules for phasing in the issuance of new  
19 certificates and provide for 1, 2 or 3 year expiration dates  
20 and pro-rated payments or charges for each registration.

21 All certificates shall be renewed for 3 years from the  
22 nearest June 30 for a fee as prescribed in Section 3-2 of this  
23 Act. All certificates will be invalid after July 15 of the year  
24 of expiration. All certificates expiring in a given year shall

1 be renewed between January 1 and June 30 of that year, in order  
2 to allow sufficient time for processing.

3 The Department shall issue "registration expiration  
4 decals" with all new certificates of number, all certificates  
5 of number transferred and renewed and all certificates of  
6 number renewed. The decals issued for each year shall be of a  
7 different and distinct color from the decals of each other year  
8 currently displayed. The decals shall be affixed to each side  
9 of the bow of the watercraft, except for federally documented  
10 vessels, in the manner prescribed by the rules and regulations  
11 of the Department. Federally documented vessels shall have  
12 decals affixed to the watercraft on each side of the federally  
13 documented name of the vessel in the manner prescribed by the  
14 rules and regulations of the Department.

15 The Department shall fix a day and month of the year on  
16 which certificates of number due to expire shall lapse and no  
17 longer be of any force and effect unless renewed pursuant to  
18 this Act.

19 No number or registration expiration decal other than the  
20 number awarded or the registration expiration decal issued to a  
21 watercraft or granted reciprocity pursuant to this Act shall be  
22 painted, attached, or otherwise displayed on either side of the  
23 bow of such watercraft. A person engaged in the operation of a  
24 licensed boat livery shall pay a fee as prescribed under  
25 Section 3-2 of this Act for each watercraft used in the livery  
26 operation.

1           A person engaged in the manufacture or sale of watercraft  
2 of a type otherwise required to be numbered hereunder, upon  
3 application to the Department upon forms prescribed by it, may  
4 obtain certificates of number for use in the testing or  
5 demonstrating of such watercraft upon payment of \$10 for each  
6 registration. Certificates of number so issued may be used by  
7 the applicant in the testing or demonstrating of watercraft by  
8 temporary placement of the numbers assigned by such  
9 certificates on the watercraft so tested or demonstrated.

10           Non-powered watercraft are exempt from this Section.

11           (Source: P.A. 87-798.)

12           (625 ILCS 45/3-11) (from Ch. 95 1/2, par. 313-11)

13           Sec. 3-11. Penalty. No person shall at any time falsely  
14 alter or change in any manner a certificate of number or water  
15 usage stamp issued under the provisions hereof, or falsify any  
16 record required by this Act, or counterfeit any form of license  
17 provided for by this Act.

18           (Source: P.A. 82-783.)

19           (625 ILCS 45/3-12) (from Ch. 95 1/2, par. 313-12)

20           Sec. 3-12. Exemption from numbering provisions of this Act.  
21 A watercraft shall not be required to be numbered under this  
22 Act if it is:

23           A. A watercraft which has a valid marine document issued by  
24 the United States Coast Guard, provided the owner of any such

1 vessel used upon the waters of this State for more than 60 days  
2 in any calendar year shall be required to comply with the  
3 registration requirements of Section 3-9 of this Act.

4 B. Already covered by a number in full force and effect  
5 which has been awarded to it pursuant to Federal law or a  
6 Federally-approved numbering system of another State, if such  
7 boat will not be within this State for a period in excess of 60  
8 consecutive days.

9 C. A watercraft from a country other than the United States  
10 temporarily using the waters of this State.

11 D. A watercraft whose owner is the United States, a State  
12 or a subdivision thereof, and used solely for official purposes  
13 and clearly identifiable.

14 E. A vessel used exclusively as a ship's lifeboat.

15 F. A watercraft belonging to a class of boats which has  
16 been exempted from numbering by the Department after such  
17 agency has found that an agency of the Federal Government has a  
18 numbering system applicable to the class of watercraft to which  
19 the watercraft in question belongs and would be exempt from  
20 numbering if it were subject to the Federal law.

21 G. Watercraft while competing in any race approved by the  
22 Department under the provisions of Section 5-15 of this Act or  
23 if the watercraft is designed and intended solely for racing  
24 while engaged in navigation that is incidental to preparation  
25 of the watercraft for the race. Preparation of the watercraft  
26 for the race may be accomplished only after obtaining the

1 written authorization of the Department.

2 H. Non-powered, owned and operated on water completely  
3 impounded on land belonging to the owner of the watercraft.  
4 This Section does not apply to water controlled by a club or  
5 association.

6 I. A non-powered watercraft. ~~A canoe or kayak which is  
7 owned by an organization which is organized and conducted on a  
8 not for profit basis with no personal profit inuring to anyone  
9 as a result of the operation.~~

10 (Source: P.A. 88-524.)

11 (625 ILCS 45/3A-16) (from Ch. 95 1/2, par. 313A-16)

12 Sec. 3A-16. Fees. Fees shall be paid according to the  
13 following schedule:

14	Certificate of title .....	<u>\$10</u> <del>\$ 7</del>
15	Duplicate certificate of title .....	<u>7</u> <del>5</del>
16	Corrected certificate of title .....	<u>7</u> <del>5</del>
17	Search .....	<u>7</u> <del>5</del>

18 (Source: P.A. 85-149.)

19 ARTICLE 95-95.

20 Section 95-95. No acceleration or delay. Where this Act  
21 makes changes in a statute that is represented in this Act by  
22 text that is not yet or no longer in effect (for example, a  
23 Section represented by multiple versions), the use of that text

1 does not accelerate or delay the taking effect of (i) the  
2 changes made by this Act or (ii) provisions derived from any  
3 other Public Act.

4 Section 95-97. Severability. The provisions of this Act are  
5 severable under Section 1.31 of the Statute on Statutes.

6 ARTICLE 99.

7 Section 99-99. Effective date. This Act takes effect  
8 January 1, 2013.